

**Open Report on behalf of Andy Gutherson
Executive Director for Place**

Report to:	Planning and Regulation Committee
Date:	29 July 2019
Subject:	County Matter Application - 18/0709/CCC

Summary:

Planning permission is sought by DS Developing Ltd (Agent: MAZE Planning Solutions) for the demolition of the existing animal by-products processing plant and all associated installations; and the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars, commercial vehicles and trailers used in connection with the operation; residential development to provide three environmentally sustainable eco affordable homes and one manager's house for the processing plant; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe.

There are a wide range of key issues in relation to the proposed development, including the principle of the development (both the animal by-products processing plant and the residential development), highways, odour, noise, lighting, landscape and visual impacts, the natural environment, the historic environment, flood risk and drainage, design and alternatives.

Recommendation:

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that planning permission be refused.

The Application

1. Planning permission is sought for demolition of the existing animal by-products processing plant and all associated installations; and the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars, commercial vehicles and trailers used in connection with the operation; residential

development to provide three environmentally sustainable eco affordable homes and one manager's house for the processing plant; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe. This description of development was an amendment to the original description of development. It was agreed with the applicant on 11 April 2019 as a result of changes to the development proposed in conjunction with the submission of further information. The changes to the description are to include reference to three "affordable" homes and the original references to the "construction of a building for community use" and "use of an existing pond and its surroundings as a publicly accessible area for recreation and fishing" were removed from the proposals.

2. For completeness, it should be noted that the original description of development (and therefore the one originally consulted upon) was as follows: the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars; commercial vehicles and trailers used in connection with the operation; residential development to provide three environmentally sustainable eco homes and one manager's house for the processing plant; construction of a building for community use; use of an existing ponds and its surroundings as a publicly accessible area for recreation and fishing; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe.

Description of the Rendering Process

3. The processing of animal by-products is known as rendering. Within the United Kingdom (and the European Union) animal by-products cannot be sent to landfill and so animal material is rendered. Rendering uses heat and pressure to sterilise and stabilise the animal material. Sterilisation eliminates the risk of disease and stabilisation prevents further decomposition and enables the material to be stored and reprocessed for other uses.
4. The rendering process is formed of a number of stages. Firstly, the raw material is screw augured to crushers to reduce the size of the material. The material is then transferred to the cookers in the relevant buildings. The temperature of the material within the cooker is increased by the use of indirect steam. Moisture is then driven off as vapour which is collected and directed to thermal oxidisers. The remaining material is discharged from the cooker on a continuous basis. This remaining material is known as "greaves" and is a mixture of tallow (fat) and protein (meat and bone meal). The greaves are directed to high pressure extruder presses which separate the tallow from the protein. The tallow is then screened and centrifuged to remove solids prior to its storage and dispatch.

5. The raw material animal by-products used in the rendering process are classified into three distinct categories, based on the risks they pose, as follows:

Category 1

These are classed as the highest risk animal by-products and include:

- carcasses and all body parts of animals suspected of being infected with transmissible spongiform encephalopathy (TSE);
- carcasses of wild animals suspected of being infected with a disease that humans or animals could contract;
- carcasses of animals used in experiments;
- carcasses and body parts from zoo and circus animals or pets;
- parts of animals that are contaminated due to illegal treatments;
- international catering waste; and
- specified risk material.

Category 2

These are classed as high risk animal by-products and include:

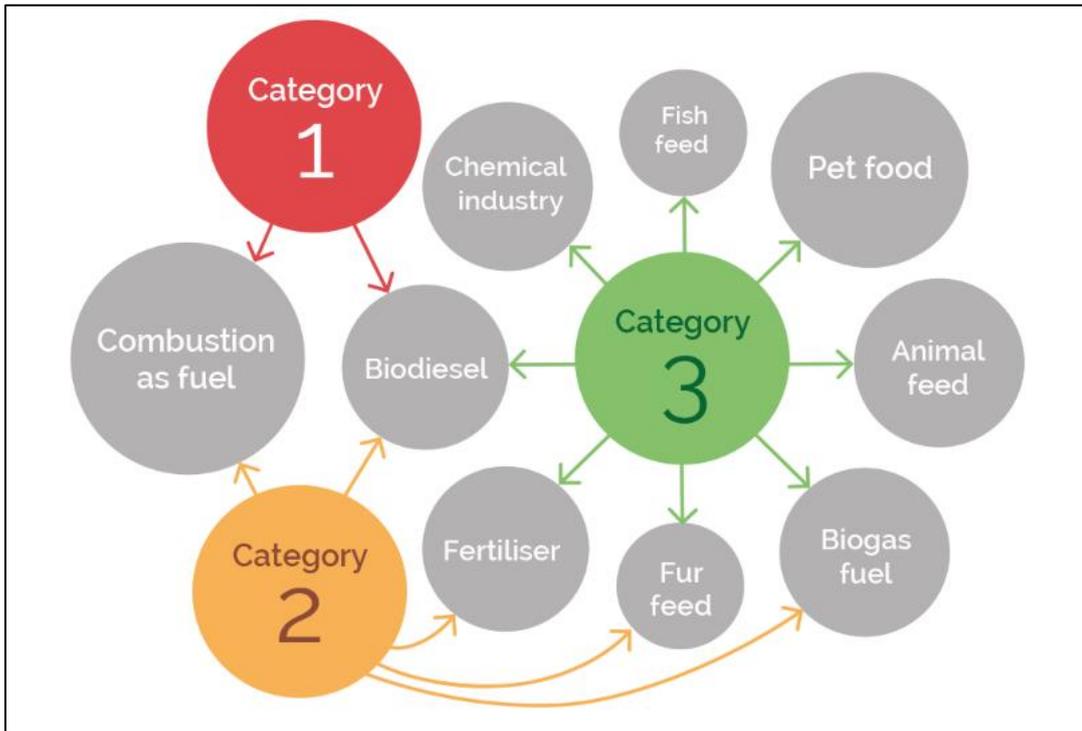
- animals rejected from abattoirs due to having infectious diseases;
- carcasses containing residues from authorised treatments;
- unhatched poultry that has died in its shell;
- carcasses of animals killed for disease control purposes;
- carcasses of dead livestock;
- manure; and
- digestive tract content.

Category 3

These are classed as low risk animal by-products and include:

- carcasses or body parts passed fit for human consumption at a slaughterhouse;
- products or food of animal origin originally meant for human consumption but withdrawn for commercial reasons (not because it is unfit to eat);
- domestic catering waste;
- shells from shellfish with soft tissue;
- eggs, egg by-products, hatchery by-products, eggshells;
- aquatic animals, aquatic and terrestrial invertebrates;
- hides and skins from slaughterhouses;
- animal hides, skins, hooves, feathers, wool, horns and hair that had no signs of infectious disease at death; and
- processed animal proteins.

Each category of raw material can produce different end product materials, depending on the original risk category, as set out in the diagram below:



Source: EFPRA

The Proposed Development

- The proposed new facility at Jerusalem Farm, Skellingthorpe proposes to process Category 1, 2 and 3 material, with Category 1 and 2 material being processed together in one building and Category 3 material being processed in a separate building.

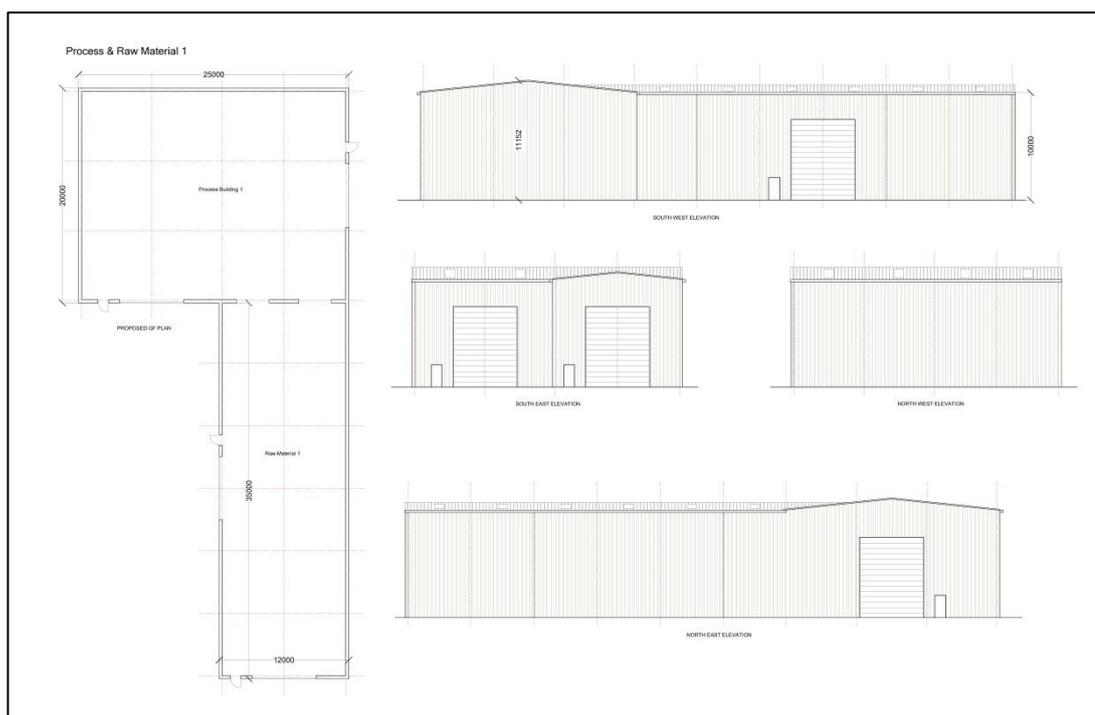


Proposed Site Layout Plan

7. This development is proposed to take place in four distinct phases. Phase One would involve the construction of the proposed new animal by-products processing facility. Phase Two is proposed to be the decommissioning and demolition of the existing animal by-products processing facility. Phase Three is proposed to consist of the works associated with the external areas of the new processing facility. Phase Four is proposed to involve the construction of four dwellings.
8. The development is proposed to be made up of the following constituent parts:

Raw Material and Processing Building 1

9. The Raw Material and Processing Building 1 is proposed to deal with Category 1 and Category 2 animal by-products. This is proposed to be an “L”- shaped building with a maximum length of 55 metres and a maximum width of 25 metres. It would be effectively divided into two buildings, one being the raw materials building (which would be 35 metres long by 12 metres wide) and one being the processing building (which would be 25 metres long by 20 metres wide). The building would have a maximum ridge height of approximately 11.2 metres and a height to the eaves of 10 metres.
10. It is proposed that vehicles would enter and exit the raw materials building via an airlock to manage airflow inside the tipping and processing building. Once emptied, the vehicles would be washed and cleaned prior to leaving the building via the airlock. The wash water would be directed to the effluent treatment process.
11. When the airlocks are not in use, all doors are proposed to remain closed.
12. The processing of the raw material within this building would be as described above.



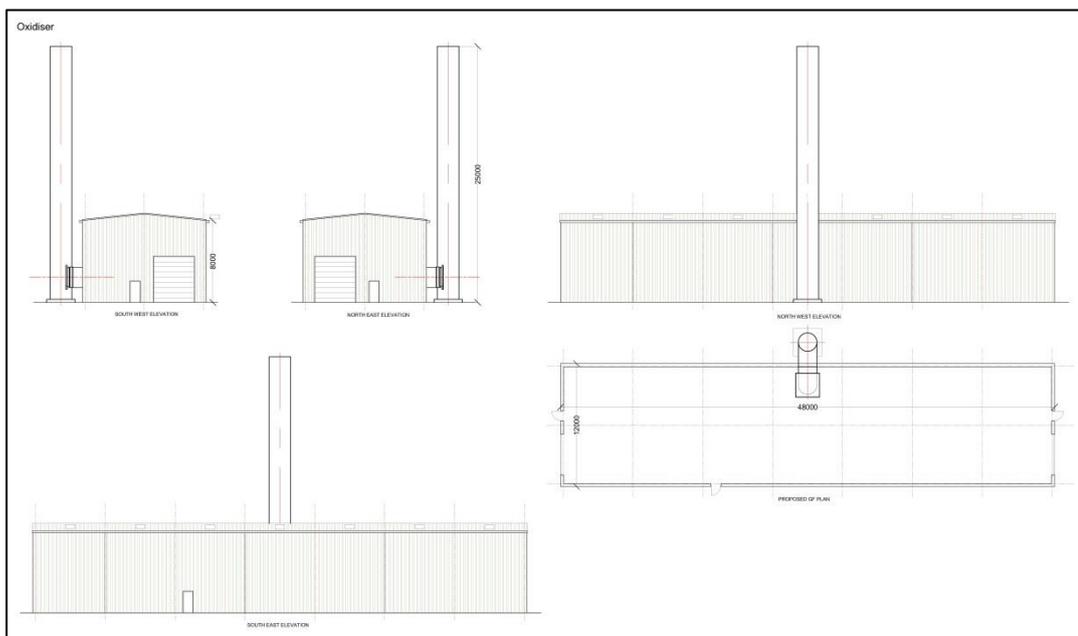
Raw Material and Processing Building 1 – proposed Floor and Elevation plans

Raw Material and Processing Building 2

13. The Raw Material and Processing Building 2 is proposed to deal with Category 3 animal by-products. The dimensions and shape of this building are the same as those for the raw material and processing building 1, as described above. There are, however, differences in the location of vehicle and pedestrian doors between the two buildings.
14. Again, it is proposed that vehicles would enter and exit the raw materials building via an airlock to manage airflow inside the tipping and processing building. Once emptied, the vehicles would be washed and cleaned prior to leaving the building via the airlock. The wash water would be directed to the effluent treatment process.
15. When the airlocks are not in use, all doors are proposed to remain closed.
16. The processing of the raw material within this building would be as above.

Oxidiser Building and Chimney

17. An oxidiser building and chimney is proposed to be located adjacent to the processing buildings (described above). The oxidiser building is proposed to be 48 metres long by 12 metres wide. It is proposed to have a height to the ridge of 8.75 metres and an eaves height of 8 metres. Connected to this building is proposed to be a chimney with a height of 25 metres and a diameter of 2.2 metres.
18. The oxidiser building is proposed to be used to deal with high intensity odours.



Oxidiser Building and Chimney – proposed Floor and Elevation plans

Engineer's Building

19. To the south west of the proposed oxidiser building and chimney an engineer's workshop building is proposed. This would be 12 metres long by 12 metres wide and have a height to the ridge of approximately 7.2 metres and an eaves height of 6.5 metres.

Boiler House

20. A boiler house is proposed to be located to the south west of the engineer's building. This is proposed to be 15 metres long by 10 metres wide. It is proposed to have a ridge height of approximately 7.4 metres and an eaves height of 6.5 metres.
21. The boiler is proposed to be used to raise steam on the site for use in the processing of the animal by-products. It is proposed to be powered by mains gas through a new connection into the site.

Filter Bed

22. To the south east of the boiler house a filter bed is proposed. This is proposed to be 50 metres long by 20 metres wide and have a height of 1.5 metres. A woodchip medium is proposed to be used in the filter bed.

Dissolved Air Flotation (DAF) Plant

23. Waste water from the site activities is proposed to initially be directed to a Dissolved Air Flotation (DAF) plant for treatment. This effluent cleansing process would take place in a sealed unit, removing particles before the effluent would be passed on to the main effluent treatment tank. The DAF plant would be a low level fixed plant, sited on a concrete base. The main metal tank of the DAF plant would be approximately 7 metres long by 2.5 metres wide and stand approximately 2.25 metres in height above ground level.

Effluent Tank

24. An effluent tank is proposed to be located to the south east of the filter bed. This is proposed to be 50 metres long by 25 metres wide and 6 metres high. This is proposed to be provide a secondary treatment process for the liquid effluent from the DAF plant. It would be a purpose-built concrete tank divided into chambers, which would send the effluent through a series of cleansing processes using activated sludge, membrane filtration and reverse osmosis to produce clean water.
25. It is proposed that the final treated effluent would be clean enough to be safely reused in the plant as wash water and in the plant's steam raising boiler. Any surplus water is proposed to be discharged to a public sewer under a necessary trade consent.

Offices

26. Site offices are proposed to the north east of the effluent tank. This building is proposed to be 12.5 metres long by 12.5 metres wide. It is proposed to have a height to the ridge of approximately 7.3 metres and an eaves height of 6.5 metres.

Silo Tanks

27. Seven 15 metre high silo tanks are proposed to be located to the north west of the offices. These are proposed to be arranged as a line of four tanks and a line of three tanks. Each tank is proposed to have a diameter of 4 metres. The tanks are proposed to be surrounded by a rectangular 1 metre high concrete bund wall.

Weighbridge and Weighbridge Office

28. A weighbridge and weighbridge office are proposed at the entrance to the processing part of the site. The weighbridge office is proposed to be 6 metres long by 3 metres wide and to have a flat roof at a height of 2.5 metres.

Vehicle and Cycle Parking Areas

29. A new 40 space staff car parking area is proposed close to the access to the site. Within this area, secure storage for 10 bicycles is also proposed. Adjacent to this car parking area, a Heavy Goods Vehicle (HGV) parking area is proposed. This would be accessed from within the central area of the site.
30. In the south eastern area of the site, beyond the proposed processing and associated buildings, a trailer parking area is proposed. This is proposed to accommodate 43 trailers.

Pond

31. The existing pond at the south western end of the site is proposed to be retained.

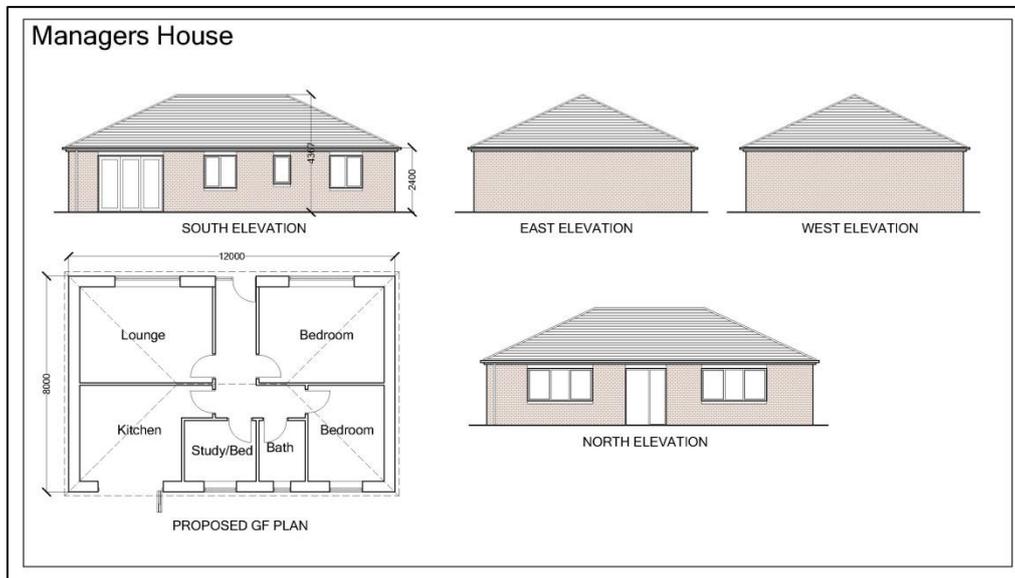
Acoustic Barrier

32. A 2 metre high acoustic barrier is proposed to be sited between the processing plant and the three dwellings. This would run along the south west boundary of the first proposed new dwelling, closest to the proposed plant.

Four Dwellings, Including One Manager's Dwelling

33. Three single storey four bedroomed dwellings and one single storey three bedroomed dwelling are proposed to be located in the north eastern part of the site, close to the access to Jerusalem Road. (It is noted that the

application form states that these are proposed to be two and three bedroomed properties, however, the drawings showing the proposed dwellings show three and four bedrooms.) The three four bedroomed dwellings are proposed to be affordable housing. It is proposed to located one manager's house to the south of the access into the site and the three further affordable dwellings to the north of the access.



Manager's house – proposed Floor and Elevation plans



Eco houses – proposed Floor and Elevation Plans

34. The manager's house is proposed to be 12 metres by 8 metres with a hipped roof to a ridge height of approximately 4.4 metres and an eaves height of 2.4 metres.
35. Three separate affordable dwellings are proposed to be 14 metres long by 14 metres wide and have two mono-pitched roof lines either side of a central

flat-roofed area. The maximum roof height proposed is approximately 4.3 metres. These dwellings are described as being eco-houses and are of a non-traditional design. No specific sustainability credentials have been included within the application, although the Flood Risk Assessment states that all options are open, with the exception of green roofs (it is noted that the application form describes the dwellings as having sedum covered green roofs or similar, but the Flood Risk Assessment and further information submitted in accordance with the Regulation 25 request, confirm that this is not part of the proposed development).

36. A 6 metre by 6 metre garage is also proposed for each of the affordable dwellings. This would have a mono-pitched roof with a maximum height of approximately 3.4 metres.

Access

37. The existing access to the site is proposed to be retained and upgraded. The full specification of the proposed upgrading of the access has not been provided at this stage, however, it is stated that the access is proposed to be upgraded to enable two HGVs to pass at the site entrance with Jerusalem Road.

Landscaping

38. An indicative landscaping scheme has been submitted. This makes provision for the retention of trees and ground flora around the site, together with planting of trees, shrubs, hedges, wildflower meadow and amenity grassland. Much of this new planting is proposed to be located along the south east and south west boundaries of the site; and between the proposed plant and the affordable dwellings. A Habitat and Landscape Management and Maintenance Plan is also provided.

Demolition

39. The site is currently host to an existing animal by-products processing plant. It is proposed to decommission and demolish the existing plant. This would take place in the second phase of the development, once the proposed new plant has been constructed and is operational.
40. The exterior walls of the proposed industrial buildings are proposed to be covered with standard profile cladding, with a colour palette of “grey greens”, although no specific details are formally submitted at this stage.
41. Originally, the application included proposals for a building for community use and the use of an existing pond as a fishing lake with a publicly accessible area for recreation. As stated above, these elements of the proposals have since been removed from the proposed development.
42. The following proposals were included within the original application details for the proposed development but have subsequently been removed from

the scheme. Reference to them is included here for completeness but they no longer form part of the proposed development:

Building for Community Use Fishing Lake and Surrounds

43. In the north western part of the site, adjacent to a fishing lake (described below), a building for community use was proposed. This was proposed to be 12 metres long by 8 metres wide and have two mono-pitched roofs to a maximum height of approximately 3.7 metres. This building was proposed to contain a multi-functional suite and kitchen and toilet facilities.
44. There is an existing pond in the north west area of the site. This was proposed to be used as a fishing lake and made available for public use. A woodland path and cycle path were proposed around this lake, linking to the existing public right of way which runs adjacent to the site boundary to the north east. A trim trail was proposed in this area too.

Environmental Impact Assessment

45. Further to a pre-application request for an Environmental Impact Assessment Scoping Opinion, this application has been supported by an Environmental Statement (ES). In accordance with Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) further information was submitted on 10th April 2019 to supplement that submitted with the original ES. The original ES contains the following information (although some of this information has been subject to change since the original submission, the revised information is set out in relation to the Regulation 25 submission later in this report):

Chapter 1: Introduction states that an animal by-products rendering facility has been operated on a site at Jerusalem Road, south west of Skellingthorpe, for several decades. A comprehensive redevelopment of the site is proposed, to provide a more modern plant, create new housing, a community building and provide public amenity space focussed on an existing body of freshwater (these latter elements of the proposals have subsequently been removed from the proposed development, as set out above).

It is stated that the existing business on the site is operated by a tenant on the land which recently announced its proposals to construct a new facility at Villa Farm, Norton Disney. The landowner (the applicant) considers that it would be better to retain a plant at Skellingthorpe and invest in new plant and machinery to improve efficiency and environmental performance.

The proposed development is to construct a new animal by-products plant alongside the existing operation, commission the plant and switch processing over from the older plant, which will then be decommissioned and demolished, with the land being redeveloped. Services would be upgraded to provide mains gas to the site, improvements are proposed to the site access junction and dedicated footways are proposed to provide

safer pedestrian routes into the site and connections to the Public Rights of Way that converge at the site entrance.

Significant investment is stated to be proposed.

Chapter 2: Description of the Proposed Scheme describes the constituent elements of the proposed development, as set out above. It is proposed to employ approximately 75 staff, on a two twelve-hour shift basis, so the maximum on site at any time would be 38. The plant is proposed to be operational 24 hours per day, six days per week, with day seven allocated for weekly cleansing and maintenance.

Raw material deliveries are proposed to be permitted at any time and materials leaving the site could be restricted to day time periods between 07:00 hours and 23:00 hours.

In relation to the consideration of alternatives, it is stated that the rationale for the proposed development has arisen due to the tenant operator's decision to apply for planning permission to relocate and the landowner and applicant seeking to retain the business operations on the existing site. The proposed scheme will therefore be rebuilt on the same site, where there is an established use and economic viability for an animal by-products plant, and alternative sites have not been considered.

It is stated that the overall effects of the proposed development would be no greater, or less, than those associated with the existing site activities.

Chapter 3: The EIA Process and Method sets out the context for undertaking an environmental assessment and provides details of the County Council's Scoping Opinion, issued in January 2018.

Information is provided regarding how baseline environmental information was gathered and details of the assessment significance criteria used throughout the ES to assess the proposals.

Chapter 4: Planning and Regulatory Regime sets out the legal and national and local planning policy context for the assessment of the proposed development.

Chapter 5: Land Quality identifies the potential sources of contamination as the following:

- potentially contaminated made ground and shallow natural soils;
- potentially contaminated groundwater;
- potential ground gases and vapours; and
- asbestos containing materials within the fabric of the existing buildings to be demolished.

Potential receptors and pathways are then identified and it is stated that there is the potential for human health, soils, controlled waters and aquatic

ecosystems to be impacted by the proposed development through the disturbance of soils and groundwater.

It is concluded that through mitigation measures such as ground investigation, plant and wheel washing interception devices, design, bunds, use of designated areas and good practice and site management, any impacts would be reduced to a negligible level.

Chapter 6: Hydrology, Drainage and Water Framework Directive states that there are several land drains within the site and adjacent to the north-eastern, north-western and south-western boundaries, connecting to the wider drainage network, and generally flowing north towards the Catchwater Drain. Four ponds are identified within the site.

The site lies in Flood Zone One. There is stated to be no risk from tidal, artificial source or groundwater flooding and no record of surface water flooding. Surface water runoff is assumed to drain to the surrounding land drainage network at an unrestricted rate. It is also assumed that foul drainage discharges to the Anglian Water 6 inch public foul rising main in the south-eastern area of the site.

Mitigation measures are proposed, including a surface water drainage system, plant and wheel washing, raising finished floor levels above existing ground levels and the installation of interceptor devices to reduce residual impacts to negligible. It is proposed that construction control methods would be set out in a Construction Environmental Management Plan.

Chapter 7: Terrestrial Ecology identifies a total of four statutory designated sites and 58 non-statutory sites within 5km of the site. These include Doddington Clay Woods Site of Special Scientific Interest (SSSI), Swanholme Lakes SSSI and Local Nature Reserve and Whisby Nature Park Local Nature Reserve. The non-statutory sites include 40 Local Wildlife Sites (LWS), 16 Sites of Nature Conservation Importance (SNCI) and two Lincolnshire Wildlife Trust Reserves. Within 1km of the site are Ash Lound and Brick Kiln Holt LWS, which lies immediately adjacent to the west of the site; Skellingthorpe Big Wood South-East SNCI; Bird's Holt SNCI; Skellingthorpe Big Wood Mill House Wood; Skellingthorpe Big Wood Old Wood; and Doddington Clay Woods SSSI is located 0.94km west of the site.

A field survey was undertaken in December 2017 and included consideration of roosting bats, commuting and foraging bats, Great Crested Newts, reptiles, otter, water vole. Given that December is a suboptimal time for surveying vegetation, a full botanical survey was not undertaken.

The site was found to support a variety of habitats and has the potential to support a number of protected species and further ecological surveys were recommended to be undertaken.

A 50 metre buffer of grassland along the western boundary of the site is proposed to be retained to protect Ash Lound and Brick Kiln Holt LWS. It is acknowledged that there is the potential for an increase in pollutants

entering this LWS or Doddington Clay Woods SSSI as a result of construction activities, for example, an increase in contaminants in surface runoff, increase in airborne particulates and accidental spillage, however, it is concluded that the impacts would only be temporary and have a magnitude of impact of slight adverse, the significance of which would be a minor to moderate impact during the construction phase. A degree of adverse impacts is also identified at construction phase to a number of protected species. Overall, it is concluded that with appropriate mitigation measures, such as best practice pollution prevention measures, creation of new terrestrial and aquatic habitat within a receptor habitat, translocation of species within the working area to a receptor area, vegetation clearance works undertaken outside the bird nesting season and any demolition undertaken to avoid bat sensitive periods and under the supervision of a licenced ecologist, the residual impacts during the construction phase would be limited to between minor adverse and neutral (except in relation to water vole which has the potential to have a minor to moderate adverse impact for a temporary period).

Translocation measures and the creation of new habitat lead to the conclusion that the impacts of the proposed development at operational stage will range from minor adverse to moderate beneficial, although almost all impacts are assessed to be neutral. Impacts at decommissioning phase are expected to be the same as at the operational phase.

Chapter 8: Traffic and Transport states that, given the existing operations on site, the study area was limited to the existing site access and consideration of HGV routeing, including the routeing of HGVs to and from the A46 and the A46 junctions of the B1190 Lincoln Road / B1190 Doddington Road and Lincoln Road / B1378 Skellingthorpe Road. Existing traffic flows at the site were determined from a 24 hour manual turning and automatic traffic counters. A morning peak period was also observed.

The traffic and transport assessment has been undertaken on the basis that the number of vehicle movements associated with the proposed development should not materially change from those which currently are associated with the existing plant.

It is acknowledged that during the construction phase, there would be additional vehicle movements at the site associated with the construction of the proposed plant whilst the existing facility is still operational. It is proposed that the new facility would have the capacity to handle the same tonnage of animal by-product as the existing facility and operate on the same 24 hours a day, six days a week basis. As such, it is concluded that vehicle movements associated with the operational phase of the proposed plant should not materially change. It is also acknowledged that during the decommissioning phase of the existing plant, there will be additional vehicle movements associated with this.

There is proposed to be a minor increase in vehicle movements at the site associated with the residential and community elements of the proposals.

In relation to highway safety, it is stated that during the five year period to 30 September 2017 there is no record of accidents at the existing site access and no record of accidents on the length of Jerusalem Road, Jerusalem and Black Lane linked to HGV movements associated with the existing rendering plant. It is stated that there have been a number of accidents recorded at the bend where Jerusalem and Black Lane meet and at the B1190 Lincoln Road / Black Lane junction, however, it is concluded that given there will be minimal changes to traffic flow associated with the proposed development, this will not materially impact on this accident frequency.

There is some opportunity for the site to be accessed by pedestrians and cyclists and the site is stated to be well connected to the local bus network, although services are limited.

As part of the proposed development, it is proposed to improve the existing site access from Jerusalem Road, including the widening of the access and the provision of 2 metre wide footways to both sides of the access to link in with the existing footway on the west side of Jerusalem Road. An HGV routeing agreement is also proposed to be implemented, formalising existing practices and ensuring all HGV traffic accessing the site travels to and from the south west.

It is concluded that with the improved site access and routeing agreement in place, the minor increases in traffic movements would have a negligible impact on the local highway network and the Strategic Road Network and that potential impacts on severance, pedestrian delay, amenity, accidents and safety would also be negligible.

Chapter 9: Air Quality and Odour sets out a study area of within 10km of the application site for the air quality and odour assessments. The assessments utilised data from the Leo Group's (part of the applicant company) plant in Penrith, Lancashire as it is proposed to use the same technology in this proposal.

In relation to air quality the proposed thermal oxidiser and boiler were included in the assessment. In relation to odour, the proposed thermal oxidiser and biofilter were included in the assessment. It is stated that all other potential emission sources, including waste and surface water effluent treatment and fugitive emissions are expected to be minimised and controlled by the use of containment and extraction to the on-site odour control units.

It is identified that the construction works associated with the proposed development have the potential to impact on local air quality at sensitive receptors as follows:

- dust emissions generated by demolition, excavation, construction and earthwork activities;
- emissions of exhaust pollutants from construction traffic on the local road network, especially Nitrogen Dioxide (NO₂), PM₁₀ and PM_{2.5}; and

- emissions of NO₂, PM₁₀ and PM_{2.5} from non-road mobile machinery operating within the site.

The dust assessment determined that there was a medium risk of impacts from construction activities and a Dust Management Plan is recommended, to contain a wide ranging set of mitigation measures.

The impacts associated with construction and operational phase traffic emissions are considered to be not significant.

It is stated that the impact of the proposed development on NO₂, Sulphur Dioxide, Carbon Monoxide, PM₁₀ and PM_{2.5} concentrations at all human and ecological receptors would be not significant.

In relation to odour, the maximum predicted odour concentration at existing human receptors was predicted to be 1.19OUE/m³ (as a 98th percentile) and at the proposed new residential receptors is was predicted to be 1.44OUE/m³. Both of these levels are stated to be below the most stringent level in the Environment Agency's H4 Guidance. At the proposed community hub, odour levels were predicted to be 2.18OUE/m³, however, the area is not considered to be a relevant position of long-term public exposure and sensitivity to odours is reduced, and this predicted level is below the odour benchmark for general industrial odours. (The proposed community hub has subsequently been removed from the proposed development.)

Chapter 10: Noise and Vibration states that the study area is limited to the closest receptors to the proposed development, including the existing dwellings along Jerusalem Road, the proposed new dwellings and the public bridleway to the east of the site. Environmental noise surveys were carried out at locations considered to be representative of the nearest existing residential receptors and the proposed new dwellings.

In relation to construction phase noise and vibration, it is stated that at this stage it is not possible to undertake a full construction noise assessment beyond adopting a reasonable limit for construction noise and exercising professional judgement and experience as to likely levels and effects. It is considered that at construction phase, the increase in noise at existing sensitive receptors as a result of construction vehicles would be less than 3dB and so is of negligible significance. It recommends that a Construction Environmental Management Plan is put in place. A Demolition Management Plan is also proposed as part of the mitigation strategy. (It should be noted that neither plan is included within the Environmental Statement.)

The main source of noise identified from the proposed new plant would be the oxidiser building and flue, together with the air cooled condensers for the odour abatement back up system. The proposed plant is stated to provide a betterment contextually in terms of BS4142:2014 in comparison to the existing plant. It is recommended that plant noise should not exceed existing background levels for day and night times to ensure that levels are no greater than existing levels.

Whilst it is stated that there would be negligible change in noise levels as a result of traffic generated by the proposed development, it is recommended that a 2 metre high acoustic barrier is sited from the proposed community hub along the access road to the front boundary of the first proposed new dwelling which would provide approximately a 5 to 10dB attenuation for the external amenity of the new dwellings. (The community hub has subsequently been removed from the proposed development and the acoustic barrier relocated to the boundary of the first of the residential properties). Further mitigation is stated to be required for the proposed new dwellings in the form of measures to enable windows to be kept closed at night, through the fitting of acoustic hoods or trickle ventilation.

Chapter 11: Archaeology and Heritage sets out a study area of the application site plus a 2km buffer which includes the villages of Doddington and Skellingthorpe. A desk based assessment was undertaken to establish the nature and extent of known and potential archaeological and heritage assets, supported by a site visit. The assessment was divided into four zones: the application site; a zone between the application site and a 500 metre buffer; a zone between the 500 metre buffer and a 1km buffer; and a zone between the 1km and a 2km buffer.

There are no designated heritage assets within the application site, the 500 metre zone nor the 1km buffer zone. There are 23 Listed Buildings within the 1km to 2km zone, 13 within Doddington and ten in Skellingthorpe. 20 of these Listed Buildings are Grade II. The Church of St Peter and Doddington Hall are located in Doddington and are Grade I listed and the walls and gates and gatehouse of Doddington Hall are Grade II* Listed Buildings. The grounds of Doddington Hall are a Grade II* Registered Park and Garden. Doddington is also designated as a Conservation Area.

There are no known non-designated heritage assets within the application site but 42 within the study area, four of which are within the 500 metre zone. Jerusalem Farm, adjacent to the entrance to the site, is a non-designated heritage asset. There are five areas of ancient woodland within the study area.

The potential for archaeology to be present within the application site is assessed as being low. The site appears to have been subject to extensive previous disturbance associated with old gravel pits shown on historic mapping.

It is concluded that there are no designated heritage assets within Skellingthorpe with a setting which could be impacted by the proposals. The setting of Jerusalem Farm non-designated asset is identified as being likely to be impacted by the proposed development.

This chapter concludes that there would be no impact on the setting of Doddington Hall and its associated buildings or gardens. During the construction and decommissioning phases, it is considered that there would be a minor adverse impact on the setting of Jerusalem Farm, Ash Lound

Wood and Doddington Conservation Area, however, once constructed, the proposed development, including mitigation measures, would lead to a potential minor beneficial impact. An archaeological watching brief is recommended during the construction phase of development.

Chapter 12: Landscape and Visual Impact was updated on 2 July 2018 with an additional viewpoint included in the assessment. As such, a total of 20 identified viewpoints, representing 29 visual receptors were considered in the Landscape and Visual Impact Assessment (LVIA). The visual analysis is based mainly on views from external spaces within the public domain, although one viewpoint is sited in the second floor within Doddington Hall.

A study area of 3km from the centre of the application site was used. This area is stated to comprise largely open, irregular shaped agricultural fields with vegetated field boundaries and occasional blocks of woodland. The village of Skellingthorpe lies to the east and the town of Birchwood lies to the south east.

The site lies within the National Character Area 48 “Trent and Belvoir Vales”. At a regional level, the site is within “Group 4 Lowland Vales”. The North Kesteven Landscape Character Assessment defines the character area as falling within the “Terrace Sandlands Sub-Area”.

There are numerous Public Rights of Way within the study area and 18 are located within 1km of the site. National Cycle Route 64: Market Harborough to Lincoln is also located within 1km of the site.

The character of the site is currently defined by the existing plant, with the industrial use generally concentrated in the central and north eastern area of the site and dominated by hardstanding, industrial buildings and ancillary equipment. A less industrial character is found to the northern, eastern and western site boundaries which comprise areas of grassland and woodland and have an absence of built form. The site is generally flat and has four water bodies. Ash Lound and Brick Kiln Holt LWS is located to the immediate western site boundary.

The visual envelope of the proposed development is stated to be relatively contained due to the tall, mature vegetation along the site boundaries.

Visual receptors of the proposals are identified as being users of nearby Public Rights of Way (footpaths and bridleways); users of the National Cycle Route 64; residential properties; road users along Jerusalem Road and Woodbank Farm; and visitors to Doddington Hall, Doddington Hall Registered Park and Garden, Doddington Conservation Area and the Church of St Peter in Doddington.

It is stated that the siting of elements of the proposed plant have been considered to maintain a separation between the facility and the Ancient Woodland and LWS at Ash Lound and Brick Kiln Holt and between the facility and the proposed dwellings. Screening by existing vegetation has been taken into account and a structural landscape strategy is proposed,

including acoustic fencing, tree planting, wildflower and grassland mix and areas of hardstanding.

At a national and regional level it is anticipated that there would be minimal landscape impacts during the construction phase, however, a greater impact on local landscape character is expected. The magnitude of impact is considered to be low, resulting in an overall impact of minor adverse. At construction phase there are expected to be minor adverse landscape character impacts on Ash Lound and Brick Kiln Holt LWS but no impacts on Doddington Hall or Doddington Conservation Area due to their distance and the screening by intervening vegetation. A minor adverse visual impact is expected at the construction phase, with one viewpoint (Footpath LL/Skel/2/1) experiencing a moderate adverse visual impact. However, it is not considered necessary to implement any landscape or visual mitigation measures at the construction stage.

During the operational phase of the development minor beneficial landscape impacts are expected in terms of landscape character, whereas minor adverse impacts are expected at Ash Lound and Brick Kiln Holt LWS. Due to the lack of intervisibility between Doddington Hall and Doddington Conservation Area and the site, owing to screening by intervening vegetation, it is considered that there would be no landscape effect on these heritage designations. There are considered to be minor to moderate beneficial visual impacts as a result of the proposed development.

At decommissioning phase, it is expected that there would be minor adverse landscape character impacts but no effect in relation to landscape and heritage designations. The overall visual impacts at decommission phasing are stated to be minor adverse but no further mitigation measures are considered to be necessary.

Chapter 13: Lighting Impact Assessment identifies the study area as being the application site, including the proposed dwellings; the nearest existing dwellings on the east and south of the site; and seven viewpoints established in the LVIA.

The weather conditions at the time of the site visit assessment are described as being overcast and foggy with limited visibility.

Lighting is required to satisfy health and safety requirements. During the construction phase it would provide illumination to the access and road; for the safe movement of staff, operatives and visitors around the site; specific construction tasks; and site security. It is proposed to design, install and control construction lighting to limit any potential impact on the surrounding area by minimising sky glow, glare and light spillage.

Lighting during the operational phase is proposed to be required to provide illumination to the access and road; security lighting; HGV parking; weighbridge; and trailer parking.

Mitigation measures are recommended regarding lighting design and management to limit potential impacts. Minor adverse impacts are expected during winter months in the construction phase due to reduced day time hours. It is expected to be equal to or less than this during the decommissioning phase. Given that the existing site is lit, it is considered that the impacts of the proposed development during the operational phase are likely to be negligible.

Chapter 14: Waste acknowledges that waste material would be generated at all stages of the construction and demolition process. Predicted waste types and volumes are used in the assessment. Consideration is given to recycling, recovery and disposal of waste.

At the operational stage, the main types of waste produced are stated to be:

- waste water, to be dealt with through the DAF plant on site;
- effluent sludge from the treatment of the waste water can be recycled back into the rendering process or recovered by land spreading under a suitable permit, where beneficial;
- general waste such as paper, plastic, wood and metal is proposed to be collected in separate receptacles to then be sent to a Waste Transfer Station;
- hazardous waste such as oil, grease cartridges and oily rags, would be sent for disposal or re-processing by a licenced contractor; and
- fluorescent tubes and waste electrical equipment would be recycled by a licenced contractor.

Animal by-product waste management would be controlled and enforced through the Environmental Permit for the facility to ensure effective management on site.

The overall impact of waste materials is concluded to have a negligible environmental impact.

Chapter 15: Health, Climate and Incident Risks considers the potential community health effects of the proposals, as set out in the previous chapters of the ES and concludes that there would be a potential improvement to community health. It also considers potential carbon impacts arising from vehicle movements and the operational energy consumption and concludes that these would not materially contribute to existing carbon emissions from transport and industrial activities in the district.

It is stated that climate change resilience measures would be incorporated into the design of the scheme and that it would not increase the risk of flooding elsewhere. It is also stated that the overall operations of such plants are not associated with potential high risks to the environment and the risks of major incidents are not significant.

Chapter 16: Cumulative Impacts considers the proposed Western Growth Corridor and land allocations to the east side of Skellingthorpe. Given that

no planning applications have been submitted for these developments, it is stated that only a high level consideration of cumulative impacts can be undertaken. The assessment indicated that there would be no significant cumulative environmental impacts.

Chapter 17: Conclusions provides a very brief summary of each of the chapters of the ES and an overall conclusion. It states that the development of the site would give rise to an improvement in air emissions, incorporates appropriate noise control for existing and new residential properties, enhances site access arrangements for road vehicles and pedestrians, and provides a landscape masterplan to develop the site's biodiversity potential.

A number of technical appendices are included within the ES, including:

- Contaminated Land Phase I Desktop Study and Preliminary Risk Assessment Report;
- Preliminary Geo-Environmental Risk Assessment;
- Flood Risk Assessment and Drainage Strategy;
- Preliminary Ecological Appraisal;
- Transport Statement;
- Construction Phase Dust and Fine Particulate Matter Assessment Methodology;
- Noise Survey Data;
- Calculations for Construction Site Noise;
- Gazetteer of Heritage Assets; and
- Landscape and Visual Impact Assessment.

46. Following a request under Regulation 25 of the EIA Regulations, further information was submitted on 10 April 2019. The further information seeks to address queries and objections which had been raised in relation to the originally submitted ES. At the stage of the submission of further information, the description of development was changed, as set out above, to remove the community hub and public access elements of the proposed development. The further information was submitted in tabulated format, addressing each of the paragraph's in the request letter, together with a series of appendices. This included the following:

Overarching Issues (including Appendix A) provides clarification of the plant capacity and throughput. It states that the cookers proposed to be installed are usually validated at 20 tonnes per hour as a maximum throughput, but typically run at between 15 and 17 tonnes per hour. On the basis of the proposed plant operating 24 hours a day, six days a week, the maximum weekly throughput is stated to be 5,760 tonnes.

Confirmation is provided that the Transport Statement in the ES is valid as it was based on a maximum of 547 HGV movements each week, which would equate to over the maximum throughput capacity of the plant. The Transport Statement is therefore stated to be based on a worst-case scenario.

A comparison is made to the applicant's plant at Penrith to provide an example of the difference between maximum and operational capacity, and this is stated to operate at around 85% capacity.

Land Quality (including Appendix B) states that it is disagreed that the ES is deficient in its approach, conclusions and recommendations for land quality management and mitigation. Further investigation works are recommended to be covered through a planning condition.

Hydrology, Drainage and Water Framework Directive (including Appendix C and D) provides calculations and a concept drainage plan. It states that existing greenfield run off rates have been estimated and that to achieve the required discharge rates for the site, attenuation storage will be required.

It is confirmed that only clean roof water should be directed to land drainage and any contaminated water from the yard areas would be directed to the on-site effluent treatment plant.

In relation to SUDs, no confirmed proposals are stated but no options have been ruled out, with the exception of green roofs.

A suggested temporary wheel wash is shown on the revised plans, however, it is recommended that the full details are the subject of a planning condition.

The requirement for a comprehensive water and effluent management plan is agreed, however, the details are not provided at this stage but will be in the Environmental Permit.

Terrestrial Ecology (including Appendix E, F, G, H and I) includes further ecological and protected species surveys, relating to Great Crested Newts, bats (emergence / re-entry and activity), reptiles, water voles and botanical.

It is noted that the original ES recommended an "off-site mitigation" area as a receptor area for any translocations deemed necessary and to replace lost habitat, however, the further information has deemed it appropriate to use part of the existing site area as the ecological receptor area, rather than it being off-site. An indicative location for this is shown on the revised plans.

It is concluded that, whilst there would be no habitat loss from the Ash Lound and Brick Kiln Holt LWS, during the construction phase there is potential for an increased level of pollutants entering the site. It is stated that there may be slight adverse impacts and mitigation is proposed in the form of best practice to ensure the result is negligible. During the operational phase of the development, given the existing operation at the site, it is considered that impacts would be negligible. A 50 meter buffer is proposed between the LWS boundary and the footprint of the development and lighting would be designed to prevent light spill on the LWS. Additional residents as a result of the proposed housing are highlighted as a very slight

increase in recreational pressure on the LWS but it is considered unlikely to result in any significant degradation of habitat within the LWS.

The botanical survey found the flora of the site comprises fairly common and widespread species. The site does not support any especially rich assemblage of plants or any especially rare species or community assemblages. Through the construction phase of the development there would be a partial decline in the plant assemblage but significant areas of habitats supporting plants will be retained. There would be a slight adverse impact. Creation of new habitats is proposed to mitigate the impacts, within an ecological receptor area.

The survey results indicate that there is a strong likelihood that Great Crested Newts are absent from the site and as such no mitigation measures are recommended.

In relation to bats, the survey results indicate that there is a likely absence of bats from the existing buildings on the site and that no mitigation is required in relation to roosting bats. However, the surveys confirm that bats commute and forage across the site, with activity being far more concentrated along the site boundaries, particularly the north western boundary. It is proposed that the lighting scheme for the development would be designed to minimise light spill onto the north western boundary. Waterbodies are proposed to be retained and the creation of new habitats are proposed as mitigation measures.

Slow worm and grass snake were confirmed to be present on the site through the survey work. The majority of slow worms were located along the north western boundary and around the fishing lake; and the grass snakes were only found in the northern corner of the site, along the north western boundary close to the fishing lake. In order to mitigate for the presence of these species, prior to commencement of development it is recommended that a suitable designated ecological receptor area is determined, to be at least as large in area as the area of reptile habitat lost from elsewhere within the site and the reptiles to be translocated. During the construction phase of the development there would be a moderate adverse impact on these reptiles but once the new habitat is established, this would be reduced to a negligible impact.

Water voles are considered to be absent from the site and therefore no mitigation is required.

An Arboricultural Impact Assessment states that the proposed development requires the removal of three groups of trees, which are assessed as being low quality. A further two groups of trees are recommended for removal, regardless of the development, as they are very low quality. The majority of trees are to be retained on the site. A Tree Protection Plan is provided, in order to protect those trees to be retained on site.

A Habitat and Landscape Management and Maintenance Plan is submitted (please see below for further details).

The further information in relation to odour and air quality confirm that the proposed development would not have an adverse impact on the Doddington Clay Woods SSSI.

Traffic and Transport states that the detailed highway design can be adequately covered by a planning condition, as recommended by Lincolnshire County Council Highways. It is queried why the avoidance of Doddington is necessary as this is an established route to the existing plant and is used freely by other heavy agricultural and commercial vehicles. It provides a key link to the A57 / A156.

Air Quality and Odour (including Appendix I) states that the justification for the selection of the “moderately offensive” odour category is provided in the ES and that the only receptor location which would be above the “most offensive” odour category of 1.5OUE would be the community building, which has now been removed from the proposals. All other modelled receptor locations, including the proposed residential properties, lie outside the odour contour of 1.5OUE. Odour impacts based on the most stringent assessment category are therefore not predicted at any of the existing or proposed receptors.

Fugitive odour emissions which occur in buildings would be extracted and delivered to the odour abatement plant and buildings would be constantly served by the exhaust ventilation systems to prevent fugitive releases.

Raw material would arrive on site in the latest generation of trailers in the Leo Group fleet. Trailers cannot be sealed as ABP material releases gases which would pressurise a sealed trailer, leading to health and safety issues and potentially greater odour emissions, should a failure occur.

Covered trailers may remain in the yard for short periods whilst awaiting entry to the tipping area. Vehicles carrying raw material would enter and leave the tipping area via an airlock and be washed and thoroughly cleaned before leaving the airlock. Materials would be stored inside sealed buildings and the air would be passed to the relevant odour abatement processes.

Tallow is a relatively low odour product, it would be first stored in a “day tank” prior to being pumped into the available longer-term storage tank.

Bulk dry meals are considered to be a low odour product. Meal is either deposited into covered trailers for transport or 1-tonne storage bags. Any long term storage of meal is proposed be carried out inside a building.

Site run-off from all the processing and transport areas would drain to the effluent treatment plant, so odour would be suitably contained or controlled.

The effluent treatment plant is a multi-tank system, with the more odorous early stages being enclosed, with the exhaust ventilation air passed to the odour abatement processes. Dewatered sludge waste would be collected and stored in covered containers and would be regularly removed for reuse

as a fertiliser. Fugitive odour associated with dewatered sludge is significantly lower than wet sludge and therefore significant odour impacts are not anticipated.

The plant to be installed is of the same specification as the site at Penrith, although the proposed plant would have a lower throughput, therefore odour emission rates used in the assessment are considered to be conservative. The odour emission rate for the biofilters was adapted from the accepted emission rates detailed in the Penrith Environmental Permit and adjusted to account for the difference in area, as a conservative assumption. Similar material to the Penrith site is proposed to be processed in this development and therefore the emission rates are considered to be representative.

The DAF plant is proposed to be a sealed unit and there would therefore be no fugitive emissions.

An Odour Management Plan is proposed to be produced for the Environmental Permit application. In the event of a serious incident, material would be diverted to another Leo Group plant to prevent any odour issues. The backup odour abatement system would be used in the event of a plant failure or essential maintenance works.

It is stated that the assessment of the impacts of emissions on the Doddington Clay Woods SSSI is robust and that the total acid deposition values are likely to be lower than those presented, as no deduction of emissions associated with the existing plant has been taken into consideration.

Noise and Vibration (including Appendix J) identifies and assesses a range of processes and noise sources within an updated noise modelling study. This shows that the proposed scheme is predicted to have no impact during the daytime or night-time at nearby existing and proposed sensitive residential receptors. All predicted rating levels are below background sound levels. It is stated that it is predicted that the existing operations at the site are equal to or 6dB higher than those predicted for the proposed operations due to the difference in distances between the proposed development and the existing receptors.

During the period of daytime commissioning for the proposed plant and ongoing operations at the existing plant, there is predicted to be, at most, a low adverse impact during the daytime at nearby existing and proposed sensitive receptors.

It is stated that background noise monitoring undertaken for, and reported in the ES, was carried out at appropriate times.

An acoustic barrier is proposed along the south western boundary of proposed Property 1 and would be 2 metres high. It would be constructed to have a mass of at least 20kg/m² and would have no gaps within its structure or between the barrier and the ground. Full details of the properties are currently unknown, but on the basis of the measured noise levels presented

within the ES, the glazing and ventilation system would be required to reduce noise levels from externally to internally by at least 21dB.

Current planning guidance omits any reference to footpaths and bridleways with regard to noise. Previous Mineral Planning Guidance (MPG) 11 (superseded) recommended that footpaths and bridleways should not normally be regarded as noise-sensitive. It also stated that open spaces which the public use for relaxation may be considered to be noise sensitive in some circumstances, and that 65dB LAeq, 1h during the normal working day was reasonable. A receptor representing the users of Skellingthorpe Public Bridleway 2 was included within the noise model and predicted noise at the bridleway is 49.3dB, well below the recommended limit. In terms of disturbance to equestrian users of the bridleway, it is considered that impulsive noise is more likely to cause disturbance than continuous noise. The prediction of such sporadic and impulsive noise is not possible (it would require a detailed schedule of ad hoc activities), however, the proposed development is a replacement facility undertaking the same activities as the existing plant, and such intermittent noise can be reasonably assumed to be the same as has existed for many years. A Noise Management Plan would be expected to be required as a condition of an Environmental Permit and would cover ad hoc, noisy activities at the site and so control undue disturbance to equestrian users of the bridleway.

Archaeology and Heritage (including Appendix K) states that odour management and controls are not relevant to potential archaeology and heritage as there would be no significant off-site odour effects.

It is acknowledged that some limited, long-distance views of the tallest elements of the proposals, that is the chimney stack, are available from a very limited and specific area of the Doddington Hall car park, within Doddington Conservation Area, however, due to the precedent of the existing chimney stacks, the negligible portion of the view that the proposals would comprise, and that visual receptors at this location are considered to be focused on Doddington Hall, rather than towards the site, there would be no adverse landscape or visual impacts on the setting of Doddington Hall. Other views from Doddington Hall are screened by existing vegetation of built development at Doddington Hall.

The proposed landscaping scheme is intended to screen and filter views of the ground floor ABP buildings and equipment only. The Habitat and Landscape Management and Maintenance Plan would ensure the retention of existing and proposed vegetation to provide an effective landscape screen for the long term.

It is again queried why the avoidance of Doddington is necessary as this is an established route to the existing plant and is used freely by other heavy agricultural and commercial vehicles; and provides a key link to the A57 / A156.

Landscape and Visual Impact Assessment (including Appendix G and H) provides a Habitat and Landscape Management and Maintenance Plan

which provides for new tree planting, hedgerows, tree and shrub whip planting, marginal planting and wildflower planting. The plan also sets out management and maintenance strategies for the new planting and for the existing trees and hedgerows. Plans setting out proposed planting schedules are also provided.

Lighting states that the lighting impact assessment was undertaken to the guidelines published by the Institute of Lighting Professionals and the weather conditions experienced do not negatively impact the findings of the report. It also states that full details of the lighting scheme are typically undertaken during the detailed design stage and is not necessary to inform the assessment of the likely significant impacts of the development. Modern lighting schemes are low level and low intensity, designed to minimise spillage.

Waste (including Appendix L) states that operational waste from the plant is minimal; the proposed plant would not generate any waste from animal by-products; any reject Category 3 material would be rendered as Category 1, as would solid screenings from the effluent treatment plant, spilled material and solids from cleaning activity; any wastes collected on site would be stored in covered bins and returned to the raw material tipping area for processing.

Waste water is proposed to be treated in the on-site effluent treatment plant, with treated water being safely reused in the plant's steam raising boilers and as wash water. Any surplus water can be directly discharged to the main sewer.

Any sludge from the effluent treatment plant which cannot be reused in the effluent process would be dewatered, collected and stored in covered containers to be used off-site as a fertiliser.

Air flow from tipping sheds and process buildings is proposed to be managed and directed to abatement via the bio-filter bed for low odours and the thermal oxidiser for stronger process odours.

Cumulative Impacts (including Appendix J) in relation to the Western Growth Corridor cannot be meaningfully assessed as insufficient data for this Local Plan allocation exists, however, the proposed plant replaces an existing plant so the position is, broadly speaking, neutral.

There would be a short period of time, a matter of weeks, when the new plant is commissioned and tested at the same time as the existing plant continues to operate. The process is brief and transitory and would be inconsequential in terms of cumulative impact. In relation to noise, this is assessed to have, at worst, a low adverse impact on existing and proposed sensitive receptors.

There is no potential for cumulative impacts with the proposed animal by-products processing plant proposed at Villa Farm, Norton Disney.

Other Information (including Appendix J and M) states that predicted noise levels of 49.3dB at Skellingthorpe Public Bridleway 2 are well below the recommended limit. In terms of disturbance to equestrian users of the bridleway, it is considered that impulsive noises are more likely to cause disturbance than continuous noise and the prediction of such noise is not possible. However, given that the proposed development is a replacement facility, it is reasonable to assume that such intermittent noise would be the same as has existed for many years.

In relation to the decommissioning timeframe, it is stated that this would not be available until a contractor is appointed and therefore details cannot be provided.

With respect to the event of a failure in the operation of the facility as a whole, it is stated that the operations are not associated with potential high risks to the environment and that the installation's management, technology, monitoring and storage and handling activities would be regulated under the Environmental Permitting regime, requiring Best Available Techniques. However, should such a circumstance occur, the plant is part of the Leo Group of companies and material can be promptly diverted to alternative sites within the Group's portfolio. Delivery vehicles would therefore be diverted so queuing at Skellingthorpe would not occur.

In the event of thermal oxidiser failure, the managed air flow systems and associated odour emissions would be diverted to the back-up abatement system.

There is no gas or gas main pipe within the site, it is located in Jerusalem Road, and there is no potential for the development to impact on the local mains infrastructure.

Non-Environmental Impact Assessment Further Information

47. In addition to the request for further information under Regulation 25 of the EIA Regulations, further information was also requested in relation to non-Environmental Impact Assessment matters. This information was also received on 10 April 2019. The further information was also submitted in tabulated format, addressing each of the paragraph's in the request letter, together with a series of appendices. This included the following:

Minerals Assessment (including Appendix N) provides a Minerals Assessment which concludes that there is no material sterilisation of sand and gravel resources at the site. The development is entirely within the existing industrial land with the same access location and so would not prevent future mineral extraction on neighbouring land. Prior extraction of any sand and gravel resource would not be practicable.

Locational Planning Policy (including Appendix O) confirms that the proposed housing element of the development would be provided as three affordable homes and one manager's dwelling.

The presence or absence of a Manager's house is a matter of operator choice and could be tied to the operation through a restrictive occupancy condition or s.106 obligation.

A Housing Statement is provided setting out the policy context for the proposed housing. Reference is made to Central Lincolnshire Local Plan policy LP11 dealing with affordable housing which seeks to maximise what the planning system can contribute to meeting affordable housing needs. The Strategic Housing Market Assessment (SHMA) for Central Lincolnshire states there was a backlog of affordable housing provision to address in North Kesteven in 2015 and an ongoing need for all future years. There was support for affordable housing at the public consultation events in June 2018.

Following feedback from the public meetings held during June 2018, the proposed community facility and public access to open space and a waterbody on site have been removed from the proposals, due to a potential conflict with the Parish Council's plans for a community building. In lieu of the community facilities at the site, a financial contribution is offered to aid the Parish Council to maintain existing facilities and deliver additional facilities, including a community building, to a level reflecting the cost of the construction of the originally proposed on-site community building. This would be secured through a s.106 obligation.

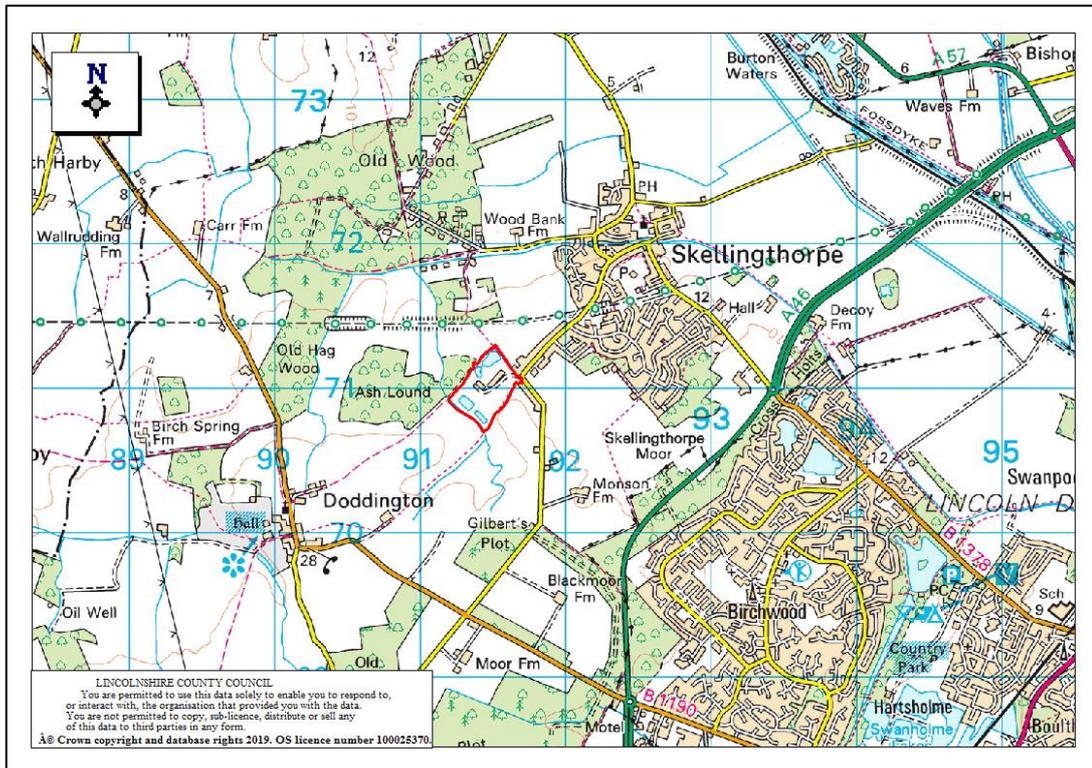
Construction Environmental Management Plan states that it is agreed that a Construction Environmental Management Plan is necessary and it is recommended that this should be dealt with through a pre-commencement condition.

HGV Routeing states that it is unnecessary for a HGV routeing plan to be covered by a s.106 obligation and recommends a planning condition is used instead. However, it clarifies that if the Local Planning Authority determines that a s.106 obligation is required, the approach would not be resisted.

Alternative Site Access states that the applicant is continuing to examine the possibility of providing an alternative access to the proposed plant.

Site and Surroundings

48. The application site is currently occupied and operated as an ABP plant, but not by the applicant company, by a separator operator, A Hughes and Son Ltd. The site has evolved over many decades and currently, the bulk of the built development on the site is located in a relatively central area. The site contains many buildings, plant and equipment, together with waterbodies located in the northern and south west areas of the site.



Location of application site



Waterbodies within the site



View across site looking north east

49. The application site is approximately 14.7 hectares in size and is broadly rectangular in shape. The entrance to the site lies on a 90 degree bend in Jerusalem Road. Immediately to the north of the site entrance is a farmstead and to the south east is a ribbon development of dwellings. To the north east of the site is the village of Skellingthorpe.



View of entrance to site from south

50. Three Public Rights of Way (PRoW) surround the site, Skel/1/1, Skel/2/1 and Skel/2/2 and PRoW Dodd/6/1, Dodd/8/1 and Skel/2/2 lead directly on from these (respectively).
51. The north west boundary of the site lies adjacent to the Ash Lound and Brick Kiln Holt Local Wildlife Site. Approximately 940 metres to the west of the site is the Doddington Clay Woods Site of Special Scientific Interest.



View of north west boundary from within site

52. Approximately 1km to the south west of the application site is the village of Doddington which is host to a range of listed buildings, including the Grade I Doddington Hall and it's Grade II* Registered Park and Gardens and the Grade I Church of St Peter; and a Conservation Area.
53. Views of the existing plant are limited from beyond the entrance access due to existing screening and buildings, although the chimney stacks are visible

from further afield, including from within the village of Skellingthorpe and from the overflow car park at Doddington Hall.



View from Black Lane looking towards site

54. The surrounding land is relatively flat with significant areas of woodland and mature trees and vegetation associated with field boundaries.

Planning History

55. As stated above, the existing ABP operation at the site has developed in a piecemeal fashion over many decades. North Kesteven District Council has dealt with a considerable number of planning applications relating to the site in previous years, due to the varied manner in which the site has evolved and developed. The current application is being determined by Lincolnshire County Council as it is primarily for a comprehensive waste management operation on the site. North Kesteven District Council has, most recently, dealt with the following:

- Demolition of existing derelict building and erection of new storage / workshop building. Withdrawn 13/06/18. Reference 18/0311/FUL.
- Outline application for erection of 1no. dwelling with means of access. Refused 02/11/17. Reference 17/0870/OUT.
- Prior approval for change of use from office use (Class B1(a) to dwellinghouse (Class C3). Withdrawn 08/12/16. Reference 16/1303/PNND.
- Erection of extension to existing building to provide secondary air lock building and erection of 2m high palisade fence to perimeter. Approved 17/03/16. Reference 16/0066/FUL.
- Erection of replacement building (retrospective). Approved 10/07/15. Reference 15/0635/FUL.
- Extension to existing warehouse building to form trailer loading bay. Approved 11/11/10. Reference 10/1153/FUL.
- Erection of building to cover existing effluent / slurry tanks. Approved 25/02/03. Reference 02/1495/FUL.

- Replacement building including combustion and steam raising plant and enveloping of part of existing main factory building. Approved 23/12/99. Reference 99/0713/FUL.

Main Planning Considerations

Planning Policy Context

56. The Revised National Planning Policy Framework (NPPF) was published in February 2019 (with an amendment in June 2019 to take into account a Written Ministerial Statement to remove paragraph 209a following a legal judgement) and sets out the Government's planning policies for England. It is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are paragraphs 10, 11, 39, 55, 56, 59 to 66, 77 to 79, 83, 84, 91, 102 to 111, 124 to 131, 155, 163, 170 to 175, 178 to 183, 184 to 200.
57. In addition to the NPPF, in March 2014 the Government published the on-line National Planning Policy Guidance (NPPG). In October 2014 the National Planning Policy for Waste was published which requires that in the determination of planning applications consideration is given to the impact of the waste development on the surrounding area, pushing waste up the Waste Hierarchy and contains a set of locational criteria against which proposals for new waste development should be assessed, including protection of water quality and flood risk management, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, odour and noise.
58. Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016), the Lincolnshire Minerals and Waste Local Plan: Site Locations Document (2017) and the Central Lincolnshire Local Plan (2017) form the development plan in relation to this application.

Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016) (CSDMP)

The following policies of the CSDMP are relevant to this proposal:

Policy M11: Safeguarding of Mineral Resources

Policy W1: Future requirements for new waste facilities

Policy W3: Spatial Strategy for New Waste Facilities

Policy W4: Locational Criteria for New Waste Facilities In and Around Main Urban

Policy W8: Safeguarding Waste Management Sites

Policy DM1: Presumption in Favour of Sustainable Development

Policy DM2: Climate Change

Policy DM3: Quality of Life and Amenity

Policy DM4: Historic Environment

Policy DM6: Impact on Landscape and Townscape

Policy DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value

Policy DM9: Local Sites of Biodiversity Conservation Value

Policy DM13: Sustainable Transport Movements

Policy DM14: Transport by Road

Policy DM15: Flooding and Flood Risk

Policy DM16: Water Resources

59. Lincolnshire Minerals and Waste Local Plan: Site Locations Document (2017)

The application site is not identified in this document for allocation. This does not necessarily mean that the site is unacceptable, but that it needs to be considered in relation to the CSDMP.

60. Central Lincolnshire Local Plan (2017) (CLLP)

The following policies of the CLLP are of relevance in this case:

Policy LP1: A Presumption in Favour of Sustainable Development reflects the NPPF's approach to sustainable development.

Policy LP2: The Spatial Strategy and Settlement Hierarchy classifies Skellingthorpe as a large village capable of accommodating a degree of growth in order to maintain and enhance its role as a large village. It states that most of the growth will be via sites allocated in the plan, or appropriate infill, intensification or renewal within the existing developed footprint. In exceptional circumstances, additional growth on non-allocated sites in appropriate locations outside of, but immediately adjacent to, the developed footprint of these large villages might be considered favourable. This policy adopts a restrictive approach towards development in the countryside unless a specific set of criteria are met, including renewable energy generation and waste developments which accord with the separate Mineral and Waste Local Development Documents.

Within Policy LP2, the following explanations are provided:

“exceptional circumstances” in this policy is a matter for the decision maker to determine, but could be, for example, where the development delivers a community facility substantially above and beyond what would ordinarily be required by other policies in the plan, and for which a clear need has been identified.

“appropriate locations” means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. In addition, to qualify as an “appropriate location”, the site, if development would:

- a. retain the core shape and form of the settlement;
- b. not significantly harm the settlement’s character and appearance; and
- c. not significantly harm the character and appearance of the surrounding countryside or the rural setting of the development.

“developed footprint” of a settlement is defined as the continuous built form of the settlement and excludes:

- a. individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;
- b. gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;
- c. agricultural buildings and associated land on the edge of the settlement; and
- d. outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

“demonstration of clear local community support” is defined as at the point of submitting a planning application, there should be clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise or, if demonstrable evidence of support or objection cannot be determined through that means, there will be a requirement for support from the applicable Parish Council.

Policy LP3: Level and Distribution of Growth states that the plan’s aim is to facilitate the delivery of 36,960 new dwellings and the creation of 11,894 Full Time Equivalent net new jobs between 2012 and 2036. The key focus for the delivery of this is in the Lincoln Strategy Area (which includes Skellingthorpe), Gainsborough and Sleaford.

Policy LP5: Delivering Prosperity and Jobs states that, in principle, proposals will be supported which assist in the delivery of economic prosperity and job growth to the area. This policy deals with allocated sites, non-allocated sites and the expansion of existing businesses.

In relation to non-allocated sites, a set of criteria must be complied with demonstrating the development proposals are commensurate in scale and character to the existing settlement; that there are no suitable or appropriate sites or buildings within allocated sites or within the built up area of the existing settlement; there is no significant adverse impact on the character or appearance of the area, and / or the amenity of neighbouring occupiers; no significant impacts on the local highway network; no significant adverse impact on the viability of delivering any allocated sites; and the proposals maximise opportunities for modal shift away from the private car.

In relation to the expansion of existing businesses, a set of criteria must be complied with including that existing buildings are reused where possible; they do not conflict with neighbouring land uses; they will not impact unacceptably on the local or strategic highway network; and they would not have an adverse impact on the character and appearance of the area.

Policy LP11: Affordable Housing states the strategic aim of delivering 17,400 affordable dwellings. With specific reference to rural affordable housing, it states that in rural areas, where through a local needs assessment there is both a need and clear community support (the method for demonstrating this is set out in Policy LP2 and includes support demonstrated through pre-application community consultation and support from the applicable Parish Council) for affordable housing, permission may be granted as an exception to policies in the plan.

Policy LP13: Accessibility and Transport seeks to ensure an efficient and safe transport network, minimising the need to travel. It states that any development that has severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified and secured to make the development acceptable.

Policy LP14: Managing Water Resources and Flood Risk seeks to ensure that development is safe for the duration of its lifetime, does not increase the risk of flooding to the development site or elsewhere, incorporates Sustainable Drainage Systems and protects the water environment.

Policy LP15: Community Facilities states that where new community facilities are deemed necessary as part of a wider development proposal (such as residential development which generates a demand for new facilities), such facilities should be provided either directly on-site and / or off-site, either alone or cumulatively with other developments.

Policy LP16: Development on Land Affected by Contamination states that development proposals must take into account the potential environmental impacts on people, biodiversity, land, air and water arising from the development itself and any former use of the site, including, in particular, adverse effects arising from pollution.

Where development is proposed on a site which is known to be or has the potential to be affected by contamination, a preliminary risk assessment

should be undertaken by the developer and submitted as the first stage in assessing the risk of contamination.

Proposals will only be permitted if it can be demonstrated that the site is suitable for its proposed use, with no significant impacts on future users, neighbouring users, groundwater or surface waters.

Policy LP17: Landscape, Townscape and Views seeks to protect and enhance the intrinsic value of the landscape and townscape, including the setting of settlements, maintaining and responding to natural and man-made features which positively contribute to the character of the area, including historic buildings and monuments and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm; in such circumstances the harm should be minimised and mitigated. All development should take account of views into and out of development areas. The considerations are particularly important when determining proposals which have the potential to impact upon Lincoln's historic skyline.

Policy LP21: Biodiversity and Geodiversity seeks to protect, manage and enhance biodiversity and geodiversity.

Policy LP25: The Historic Environment protects, conserves and seeks opportunities to enhance the historic environment. Sets out a requirement for the appropriate assessment and justification of proposals which would affect the significance of a heritage asset, including any contribution made by its setting.

Policy LP26: Design and Amenity requires all development to achieve a high quality sustainable design that contributes positively to local character, landscape and townscape. All development is required to respect the site and its surroundings including landscape character and identity and protect important views into, out of or through the site. Development proposals must not result in ribbon development, nor extend existing linear features of the settlement. Proposals must protect amenities, including in relation to light, noise and odour and create safe environments.

Policy LP55: Development in the Countryside sets out the criteria against which proposals for residential and non-residential development in the countryside; and agricultural diversification will be assessed.

In relation to new dwellings in the countryside, it states that such proposals will only be acceptable where they are essential to the effective operation of rural operations listed in policy LP2 (including waste development).

Applications should be accompanied by evidence of:

- a. details of the rural operation that will be supported by the dwelling;
- b. the need for the dwelling;
- c. the number of workers (full and part time) that will occupy the dwelling;

- d. the length of time the enterprise the dwelling will support has been established;
- e. the ongoing concern of the associated rural enterprise through the submission of business accounts or a detailed business plan;
- f. the availability of other suitable accommodation on site or in the area; and
- g. details of how the proposed size of the dwelling relates to the enterprise.

Any such development will be subject to a restrictive occupancy condition. In relation to non-residential development the criteria to be complied with include:

- a. that the rural location must be justified;
- b. the proposal is accessible;
- c. it would not conflict with neighbouring uses; and
- d. is of a size and scale commensurate with the proposed use and the rural character of the location.

This policy also seeks to protect the best and most versatile agricultural land.

Results of Consultation and Publicity

61. (a) Skellingthorpe Parish Council – there will undoubtedly be an increase in the volume of large lorries through the village and increase in tonnage weight, Currently lorries go through the village at all times of day and night and are causing the roads to be damaged with the weight. Black Lane, Skellingthorpe has had previous problems with offal and oil and grease spillages and regularly has problems with the side of the road caving away due to excessive weight. The existing highways could not cope with further traffic to the plant. Understand that the company is closing other plants, therefore Skellingthorpe may be taking more lorries and products into this factory. Increasing traffic will cause Lincolnshire Highways further problems with resurfacing roads. Request the applicants are consulted to relocate the site away from the current area which is next to residential properties, to a more suitable site away from residential dwellings. Request that if the application is allowed lorries coming into and going from the site should be restricted to daytime deliveries and not operate through the night.

In a separate response Skellingthorpe Parish Council raised concerns that they understood a petition was to be submitted stating that Skellingthorpe Parish Council backed the petition, whereas this was not the case and the Parish Council had requested such wording be removed from the petition.

Following reconsultation on 16 April 2019 on the further information submitted requested update on status of application and confirmed the objection was maintained.

- (b) Local County Council Member, Councillor Dr M Thompson – a rendering / animal by-products plant has existed at Jerusalem Farm for over 90 years and has given rise to the village being named “Smelly Skelly”. Over the last few years there has been substantial improvement as a result of tighter environmental standards, new equipment and enforcement by North Kesteven District Council.

The applicant is not the current operator and so is an unknown quantity to the residents who remain concerned for their environment and village properties.

At public meetings the applicant acknowledged his record for breaches in various regulations which has resulted in penalty fines for his companies.

Before deciding this application, consider it essential that a visit should be made by officers and representatives to one of the sites currently operated by the Leo Group to determine whether or not to agree that the operation is satisfactory to at least current environmental standards, or if appropriate conditions should be imposed to ensure that these are and will continue to be met.

HGV traffic is already a concern for Skellingthorpe residents and is currently being investigated by the Parish Council and Road Safety Partnership in an effort to get a 7.5 tonne Traffic Regulation Order imposed on High Street.

Chapter 8 of the Environmental Statement shows an HGV route to the A46 and through Doddington village to join the A57. At public meetings, the applicant has been willing to give an assurance for HGVs not to travel through Skellingthorpe and would explore the possibility of a similar assurance for Doddington. Doddington Parish Council has been trying to obtain a 7.5 tonnes weight restriction on the B1190 through the village and existing 7.5 tonne weight limits have been placed on the road adjoining the B1190 to prevent HGVs travelling through Thorpe on the Hill to and from the A46.

If it is minded to approve this application, it is essential for the future wellbeing of Skellingthorpe and Doddington residents to use this opportunity for traffic conditions to be imposed to restrict the Leo Group and other HGVs accessing the site, from using village roads. The views of Jerusalem residents about the traffic and other issues must also be taken into consideration.

Following reconsultation on 16 April 2019 on the further information submitted, responded to advise referring back to previous comments and restate that if the Planning Committee is minded to approve the application this must be with a condition or regulation to ensure that appropriate measures are put in place to prevent site access vehicles travelling through Doddington or Skellingthorpe.

- (c) Doddington and Whisby Parish Council – two representations received to strongly object. Understand that the applicant company may be closing other plants and so this proposal would take more lorries. Concern about existing and potential damage to local roads.

Significant number of staff and visitor cars and HGVs travel to and from the site via rural roads in the parishes of Skellingthorpe and Doddington, which are wholly unsuitable for the number of vehicles associated with this business operation. Note that the application states the proposal will not significantly increase vehicular movements but this would be a continuation of unacceptable highways conditions for local road users and a constant threat of highway danger. The local highway network of Jerusalem Road, Black Lane and Lincoln Road surrounding Skellingthorpe and Doddington were not designed to accommodate over 550 HGV movements each week and there appears to be little control over routeing or timing.

The proposed more effective and efficient site could well intensify its operation and the applicant has offered no guarantees in respect of number, types or timings of vehicle movements.

Such a large number of HGVs is unacceptable in respect of noise, disruption, highway danger, air quality and general residential amenity and it is clear to the local population such a business should not be located in such an environment. Will result in detriment to the quality of life of local residents and should be located elsewhere. The County Council has a duty of care to local residents to ensure the information submitted (in particular in relation to noise, air quality and odour in relation to residential amenity) is accurate and will not result in unacceptable living conditions for the local population. Request that independent consultants are employed to verify the information submitted.

Much of the information compares the proposals to the existing situation but it must be stressed that the existing working practices are far from satisfactory with local residents suffering significant adverse conditions through noise from HGVs, low level noise from the plant (both 24 hours a day) and odours from the plant and passing HGVs. It is not considered that these impacts can be adequately restricted or mitigated.

In relation to the proposed residential development, it is considered that the refusal reasons given by North Kesteven District Council to the previous proposal for a dwelling at this site in 2017 are equally valid and remain applicable in this case, with no material planning considerations pointing to a different decision. If the applicant is reliant upon the delivery of housing to make the proposal viable, the operation is fundamentally flawed and clearly should not take place in this location.

A comparative analysis of alternative sites should be undertaken by both the applicant and independently reviewed by the County Council to provide a clear understanding of the impacts of this proposal in this location, compared to alternative, and perhaps more favourable, locations within the District.

The applicants carried out no pre-application community consultation and only recently attempted to engage with the local community. The supporting documents states why it was not possible to undertake this, however, legislation and Government policy now place an expectation on applicants to engage with those affected by proposals in a meaningful manner and the views of the local community should be genuinely taken into account in formulating such proposals. It is unacceptable that this has been ignored.

Reconsulted on 16 April 2019 on the further information submitted but no further comments received at the time of writing this report.

- (d) Karen Lee MP – a rendering plant in this location, so close to a large growing village is inappropriate. The residents of Skellingthorpe have suffered for years due to the existing plant, putting up with the smells and odours and excessive traffic travelling through the village. Realise that the plant existed before many of the houses in Skellingthorpe were built, but it is no longer appropriate to have this kind of industrial use so close to the village.

The best outcome for the constituents would be for the plant to be relocated to the site near Norton Disney and the use ceased in Skellingthorpe. Need to make a strategic decision about the best outcome for Skellingthorpe residents and the County as a whole.

Aware that if planning permission is refused the current plant can continue to operate but the long term interests of the residents will not be served by building a new plant which would mean rendering would continue in the village for the foreseeable future.

If, however, planning permission is granted, would like to see restrictions on lorry routeing to prevent lorries going through Skellingthorpe; amount of delivery traffic should be limited to existing levels; operating times restricted to normal daytime working hours to prevent disruption to nearby residents; and strict controlled placed on any environmental pollution, particularly noise and smells. A new plant should be expected to achieve far higher standards than the existing plant.

Reconsulted on 16 April 2019 on the further information submitted but no further comments received at the time of writing this report.

- (e) Caroline Johnson MP - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (f) Robert Jenrick MP - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.
- (g) Newark and Sherwood District Council – initially raised queries regarding how odour from lorries travelling through residential areas will be controlled, what the precise routes of lorries are and whether the routing of lorries could be controlled and successfully enforced.

At the time of writing this report, no further representations had been received following reconsultation on 16 April 2019 on the further information submitted.

- (h) Nottinghamshire County Council – request control the routing of lorries associated with the operation of the facility, requiring them to use the strategic highway network and prohibit lorry access along the network of rural roads to the east of the application site. Recommend that lorry routing controls are most appropriately controlled through a S.106 legal agreement.

Following reconsultation on 16 April 2019 on the further information submitted, responded to state that the County Council wish to maintain the previous response.

- (i) North Kesteven District Council, Environmental Health – see comments below from North Kesteven District Council.
- (j) Environment Agency – no objection.

Following reconsultation on 16 April 2019 on the further information submitted, responded stating no further comments.

- (k) Natural England – no objection. Based on the plans submitted, the proposals will not damage or destroy the interest features for which the Doddington Clay Woods Site of Special Scientific Interest has been notified. Refer to general advice regarding landscape; best and most versatile agricultural land and soils; protected species; local sites and priority habitats and species; ancient woodland and veteran trees; environmental enhancement; access and recreation; rights of way, access land, coastal access and National Trails; and biodiversity duty.

Following reconsultation on 16 April 2019 on the further information submitted, and a request from the case officer for Natural England to specifically consider the further information with respect to impacts on the Doddington Clay Woods Site of Special Scientific Interest, further comments were received. On the basis of the submitted information, it is understood that the process input of the proposal alone would fall within the Environment Agency threshold for insignificance which justifies the process contributions of 4% and 3% of long-term environmental standard for nitrogen-derived and sulphur-derived acid, respectively.

However, note that there has been no in-combination assessment within the original air quality assessment. It may need to be considered whether an assessment of other acidifying emissions within a 5km radius which may make a cumulative impact on the SSSI would be of assistance in this case.

Following the receipt of further information from the applicant regarding the issue of in-combination impacts, responded to state that Natural England is satisfied with the response provided.

- (l) Historic England – Environmental Statement Chapter 11 includes a record of pre-application input and Chapters 2, 11 and 12 address the scoping comments. Do not wish to offer further comments. Suggest seek the views of your specialist conservation and archaeological advisers, as relevant.

Following reconsultation on 16 April 2019 on the further information submitted, responded to state no comments offered but suggest seek the views of your specialist conservation and archaeological advisers, as relevant.

- (m) Highways England – no objection.

Following reconsultation on 16 April 2019 on the further information submitted, responded that the proposals will not impact the strategic road network and therefore have no comments to make.

- (n) Animal and Plant Health Agency - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (o) Historic Environment (Lincolnshire County Council) – on the whole, the approach to archaeology and heritage is acceptable. The main area of concern for the historic environment is the group of heritage assets, both designated and undesignated, which makes up the settlement of Doddington which lies approximately 1.2km to the south west of the site. Doddington Hall itself is one of the finest houses in Lincolnshire and one of the finest country houses built in the Jacobean style in England. It has a number of buildings associated with it and lies within a registered park land. The house itself is Grade I listed. The chimneys of the current plant are visible from within the conservation area of Doddington village. It appears that the one chimney of the replacement plant will be less visible due to its location within the site. However, this intervisibility or not is dependent upon the extent of vegetation in the view. If the trees were felled, the plant would become more visible. Relying on trees to obscure views is not entirely satisfactory and all that can be done to reduce the visibility of the chimney should be done.

Given the knowledge of potential for archaeological features to be present on the site, a scheme of archaeological recording secured by condition will be acceptable.

Doddington is a small village, a cluster of houses associated with the grand house. It is rural in nature and the road through the heart of the village is narrow and already heavily used. This is particularly the case as the visitor attraction of Doddington Hall and its associated attractions develop further. Consideration should be given to the likelihood of increased traffic through this sensitive location and the likely impacts this would have on the experience of the heritage assets in Doddington village.

Following reconsultation on 16 April 2019 on the further information submitted, responded that it can be seen from the further information the applicant has addressed the matters of concern previously raised. Whilst the response is not particularly thorough or detailed, content that the concerns are addressed and the explanations given provide the comfort that the impacts are likely to be neutral as far as the heritage assets are concerned. Given the established use and the relatively benign impact, content that there is nothing from a heritage perspective that is likely to be harmed such that the application should be refused.

- (p) Planning Policy (Lincolnshire County Council) - following the further information submitted, confirm no safeguarding objections with respect to the Minerals Safeguarding Assessment.
- (q) Highways (Lincolnshire County Council) – request that any permission given includes conditions requiring the submission and approval of further details of the vehicular access to the public highway and that the approved details shall be implemented prior to the development first coming into use and retained thereafter.

Following reconsultation on 16 April 2019 on the further information submitted and specific queries raised by the case officer, confirmed no objections.

- (r) Arboricultural (Lincolnshire County Council) - following reconsultation on 16 April 2019 on the further information submitted, confirmed no objection to the proposals but endorse the Lincolnshire Wildlife Trust's proposal that a 10 metre belt of native trees and shrubs are planted along the boundary with Brick Kiln Holt to mitigate airborne pollution to a Local Wildlife Site.
- (s) Public Health (Lincolnshire County Council) - at the time of writing this report, no comments received, including following reconsultation on 16th April 2019 on the further information submitted.
- (t) Public Rights of Way (Lincolnshire County Council) – initially responded to state no observations. However, following reconsultation on 16 April 2019 on the further information submitted, responded

raising concerns regarding the ongoing willingness of horses to follow Bridleway 2 into whatever noise levels would be introduced on that highway by the proposed development. Urge the Planning Authority to satisfy itself that riders' ability to control their horses on Bridleway 2, and hence public safety on Bridleway 2, would not be compromised by the siting of the proposed plant in its proximity to the route.

- (u) Ministry of Defence Safeguarding – no safeguarding objection.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (v) Lincolnshire Wildlife Trust – support the recommendations of the Preliminary Ecological Assessment for further ecological assessments and support the recommended mitigation measures during the construction phase. Note that the majority of the residual impacts at operational phase, discussed in the Environmental Statement, are neutral at best and insist that more effort be made by the applicant to achieve at least moderate beneficial impact, delivering a net biodiversity gain on site, to comply with section 11 of the NPPF and Policy LP21 of the Central Lincolnshire Local Plan.

Provide advice regarding potential biodiversity enhancements relating to the water bodies on site; the grassland; and the retention of all broad-leaved semi-natural woodland, native hedgerows and hedgerow trees and the planting of a 10 metre wide tree belt along the site boundary to mitigate potential effects of airborne pollution on the adjacent Local Wildlife Site.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (w) The Coal Authority – no observations.

Following reconsultation on 16 April 2019 on the further information submitted, confirmed no observations.

- (x) Woodland Trust - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.
- (y) Ramblers Association - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.
- (z) Lincolnshire Fieldpaths Association - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (aa) Robin Hood Airport – no objection.

At the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (bb) Upper Witham Internal Drainage Board – no comment.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (cc) Heritage Trust Lincolnshire - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (dd) Forestry Commission - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (ee) Anglian Water - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (ff) Lincolnshire Fire and Rescue - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (gg) National Planning Casework Unit – no comments to make on the Environmental Statement.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

In addition to the above consultees, representations were also received from the following:

- (1) Harby Parish Council – no objection to the proposal in principle but have concerns about the increase in traffic that may result. Local roads may not be suitable for the significant increase in traffic. Request to see a traffic routing plan is considered as part of the planning conditions. All routes should take vehicles onto the Lincolnshire road network and not the Nottinghamshire road network, thereby ensuring that HGV movements will not encroach on local villages. Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.
- (2) Collingham Parish Council – do not support application due to traffic and health and safety. A great deal of concern regarding a

development of this size and the impact it would have should there be any requirement for a diversion from the A46/A1 or A57 and the impact on the “A” road which runs through Collingham which is not appropriate due to the resulting conflicts between an increased number of vehicles and the existing village traffic and non-motorised users, which inevitably will occur through the village.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (3) Cadent – there is apparatus in the vicinity of the enquiry site which may be affected by the activities specified. Low or medium pressure gas pipes and associated equipment (and as a result it is highly likely that there are gas services and associated apparatus in the vicinity) have been identified. Request to be notified of likely outcome of the application at the earliest opportunity.

Following reconsultation on 16 April 2019 on the further information submitted, requested informative note to be included within a decision notice if planning permission is granted, stating that there is operational gas apparatus within the application site boundary, which may include easements or wayleaves and recommending the applicant contact Cadent’s Plant Protection Team to establish whether any protection measures are required.

- (4) City of Lincoln Council Leader, Councillor Richard Metcalfe – concerned regarding potential impacts of the proposals. Noted the nature of the objections and the impact it will directly have upon businesses, wider residents and crucially the tourist interests in the area. In all interests to maintain a vibrant offer to visitors and residents not just in the city but wider into the surrounding beautiful countryside. This all forms part of the unique offer of the city.

The suggestion of potential increase in throughput is of concern and the impact this would have in additional lorries on the road network around the city which is already congested at peak times. The plant is not far from the city and hence lorries to the plant will use the same road network that acts as a gateway into the city and a key corridor to the coast. All efforts should be made to relocate the plant to a more suitable and sustainable location away from such arterial routes.

Relocation should be away from significant housing areas that are within the Local Plan and are set to expand, such as Skellingthorpe. The application should be viewed within the context of the negative impacts processing operations such as this have on adjacent local communities.

Question the appropriateness of the proposed housing on the site, as likely to provide a poor living environment for those that may live there.

Also note the impact on Doddington Hall, an important local tourist attraction for the city and wider area. Any detriment to such local attractions, that form part of an extended heritage trail throughout the area must be given due weight.

Adverse impacts on cycle route 64, and the extension of this route, must be considered from a leisure, tourism and health perspective.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (5) Nottinghamshire County Council Member, Councillor Maureen Dobson – concerns relate to HGVs accessing the site and their potential to travel along the network of rural roads within the Collingham electoral division. The site is located in close proximity to the A46 which provides the most appropriate road to access the site. Request that if planning permission is granted, appropriate legal controls are put in place through a s.106 legal agreement to ensure that HGVs take direct access from the A46 and do not travel along quieter rural roads in the vicinity of the site. If these measures are not put in place, this representation should be considered as an objection.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (6) North Kesteven District Council Member, Councillor Chris Goldson – large vehicles in the village remain a serious issue and there are no formal enforceable traffic routeing arrangements as part of the applicant's current operations. The existing access is not suitable or appropriate.

The current factory access on Jerusalem Road should be closed and a new access created between the two sharp right handed bends going out of the village and designed to ensure lorries leaving the plant could only turn right and lorries entering could only turn left, to prevent access through the village.

The proposals conflict with policy LP5 of the Central Lincolnshire Local Plan. Over the last two years there have been 370 complaints regarding odour.

Reconsulted on 16 April 2019 on the further information submitted and following the planning application being considered at North Kesteven District Council's Planning Committee to determine what representations the Council wished to make, Cllr Goldson stated that he fully endorsed the representations of the District Council and wholeheartedly supports the case for a new access road to be created that would remove the unacceptable HGV burden on the residents of

both Jerusalem and Skellingthorpe and urges the County Council to support this in the decision making process.

62. The application was originally publicised by two site notices and in the local press (Lincolnshire Echo on Thursday 31 May 2018) and letters of notification were sent to the nearest neighbouring residents. Following the receipt of further information on 10 April 2019, the application with reference to this further information was publicised by two site notices and in the local press (Lincolnshire Echo on Thursday 24 April 2019) and letters of notification were sent to the nearest neighbouring residents and all those who had submitted duly made representations to the application.
63. As a result of this publicity a total of 109 representations have been received, from 86 different households and organisations. Of these representations, eight are in support of the application, from seven different households and organisations, and 101 raise objections, from 79 different households.

A summary of the key areas set out in the representations of support is set out below:

- well thought out proposal;
- will benefit the existing area, plant and community;
- will vastly improve the local amenity and environment in the village and surrounding areas;
- acceptable and long overdue replacement of out of date plant;
- upgrading of the site;
- granting access to fishing ponds and community centre will benefit the local community greatly (*this element of the proposal has since been removed*);
- suggest could include a maggot farm for use for the fishing facility (*the access to fishing has since been removed from the proposals*);
- eco friendly houses will greatly benefit the local community;
- inclusion of a manager's house, eco houses and community facility shows the landlord wishes to work with the village (*the community facility has since been removed from the proposals*);
- don't need two plants as is proposed (this is in reference to the additional application for a plant at Villa Farm, Norton Disney);
- support the redevelopment of the Skellingthorpe plant as a brownfield, industrial site;
- object to the proposals at Norton Disney;
- the application is complete and addresses all concerns associated with waste development in the area;
- careful consideration has been given to the current needs of industry whilst considering neighbours; and
- this plant will not close, so should seek every opportunity to maximise benefits.

In addition to this, two representations of support were received from businesses within related industries, one from an organisation representing

medium and small abattoirs, cutting plants, catering butchers and other meat processors which stated the following matters of support:

- strong advocates of modern processing plants and believe a high level of standard of operation needs to be achieved;
- there have been significant advancements in standards of modern rendering plants which have greatly reduced the impact on the environment and communities; and
- these proposals to upgrade facilities would provide significant benefits to the local community and the wider meat industry.

The other representation of support received was from a not-for-profit community interest scheme for the benefit of the farming community to facilitate a nationwide service for the collection and disposal of fallen stock (described as a critical part of the supply chain), which states:

- rendering plants play a pivotal role by disposing of fallen stock efficiently;
- advocates of high standards and this can involve plants being upgraded; and
- agree that upgrading the Skellingthorpe facility is the best approach and will provide the greatest environmental benefits.

Of the representations of support received from households, one representor residing in Skellingthorpe submitted one representation of support and one in objection to the proposals; and the other representors resided outside the village of Skellingthorpe in locations including Norton Disney, Witham St Hughs and Swinderby.

Of the 79 representations of objection received from households, 72 different households in Skellingthorpe made such representations, some of these submitting more than one representation of objection, with other objections being made from residents beyond Skellingthorpe, including from Doddington, Witham St Hughs, Waddington and Lincoln.

A summary of the key areas of objection in these representations is set out below. These have been grouped into broad categories for ease of reference in this report, but there are areas of overlap of issues (although the issue is only stated once to avoid repetition). It should be noted that some of the issues raised are not planning issues, these are addressed in the conclusions section of this report:

Amenity

- impacts of noise;
- impacts of odour;
- stench impossible to live with;
- have to keep windows closed due to noise and smell;
- smells are disgusting at times, particularly in summer when cannot have windows open;
- numerous instances of extreme odour from the plant and an explosion;
- chimney stench;

- the lorries often smell but there is no smell from the factory;
- smells have vastly improved over time and hope any enforcement action in future will be quick;
- village already has a bad reputation for smells which will worsen;
- reference to “Smelly Skelly”;
- been a resident for 10 years and the smell at times spoils outdoor activities and enjoyment with windows and doors having to be kept closed;
- residents of Skellingthorpe have lived with pungent smell for many years and deserve opportunity to be free of it;
- foul smelling road spillages;
- if approved, would want a vast improvement with no odour or increased noise;
- transport noise disturbance at unsociable hours;
- noise can be terrible at night, so with bigger plant will be worse;
- noise pollution as low, annoying background hum;
- smell, water and dirt is sprayed onto cars and houses;
- will need to be permanently screened from residential properties to the south west with screening installed at the earliest opportunity to allow time to mature;
- occasionally lorries drop small pieces of bone or bone meal which attracts rats;
- increase in noise and pollution will make Skellingthorpe unattractive to visitors;
- opening hours unsuitable for a plant in a small quiet village;
- impact on enjoyment of garden due to odours emitted from plant;
- impact and loss of amenity from views from Sustrans cycle track and public bridleways which run behind site; and
- spending £30million doesn't mean there won't be smell and noise problems.

Traffic and Transport

- highway safety around the site and trim trail area (*the trim trail element of the proposals has since been removed*);
- seeking assurances that there will be no increase in volume of traffic to and from the site;
- the road from the B1190 / A46 already far busier than can cope with, large vehicles break up the edges and surface and collapse drains, meaning more noise and vibration;
- lorries are dangerous and exceed speed limit and children use bikes and walk along this road;
- poor road repairs;
- road infrastructure does not support large influx of lorries and tractors;
- existing HGV movement is considerable, any increase means infrastructure needs improving;
- 7.5 ton access restriction to Skellingthorpe along Jerusalem Road should be correctly signed and enforced;
- very dangerous to run HGVs through a small village;

- no guarantee site will be accessed via Black Lane / Doddington roundabout;
- all access roads are small and not suitable for heavy traffic with noise and pollution level at all times of day and night;
- there have been near-misses on the corner heading to the factory;
- impact of large vehicles on schools through the village;
- if approved, must have a HGV routing agreement enforced with penalties to ensure drivers don't go through village;
- railway bridge by school a particular problem;
- should be required to contribute to improvement of Black Lane;
- queries regarding adequacy of traffic surveys undertaken;
- B1190 is not fit for lorry movements as is too narrow with regular accidents and edges are eroding and will endanger drivers' lives and staff and visitors to Doddington Hall;
- HGV movements should be restricted to 0800 to 1800 Monday to Friday and 0900 to 1400 Saturday and Sunday;
- access should be moved;
- on a dangerous bend; and
- if new site for Lincoln FC proceeds, understand that existing A46 island at Birchwood / Lincoln Road would be removed meaning vehicles would have to approach through the new housing estate planned for the Skellingthorpe side of the junction.

Natural Environment

- impacts on nature in the woods to the north of the site;
- trees along the left hand side should be retained until new tree groups grow to a decent size in 10 to 20 years;
- removing trees will have negative impact in existing bird and insect life;
- impact of works on protected species and biodiversity cannot be underestimated and species may not return;
- need assurance the level of screening to the Old Wood would be retained;
- thorough ecological overview need to happen before and during construction;
- tree removal;
- impacts on SSSI not revealed; and
- removal of woodland not deemed acceptable by North Kesteven District Council previously, so why now? It will destroy woodland to widen road and install footpath.

Air Pollution / Health

- query what emissions consist of and whether they have health implications as often experience issues with breathing, eye and throat infections, only relieved by returning indoors;
- the smoke stack belches black smoke which is not acceptable for air pollution;
- do not need more airborne pollution through additional processing and deliveries;
- technical design of chimney leading to increased pollution from toxic fumes;

- air pollution; and
- HGVs cause dust when dry weather.

Contamination

- existing pond and surrounding area must be heavily polluted so how is it to be used for recreation? (*the recreation element of the proposals has since been removed*);
- contamination from spilt waste; and
- building more houses on poisoned land is ludicrous.

Design

- design;
- chimney reduction;
- thermal oxidiser chimney at 25 metres would be visible and an eyesore;
- building size and density; and
- lack of detail regarding how high flues will be.

Planning Policy for Housing

- out of policy for the housing 25 year plan;
- question if this is really a suitable site as Skellingthorpe has grown and more housing is planned;
- the inclusion of housing goes against the advice in Scoping Opinion reference 17/1853/CCC;
- no justification for the houses, they have already tried to convert the weighbridge to a house under application reference 16/0746/FUL and had planning permission refused for a house in application reference 17/0870/OUT;
- there is a blatant disregard for policy and advice;
- housing is out of policy and would lead to job losses at the existing factory;
- who would want to live so close to the plant as the proposed houses?
- the inclusion of eco houses is a way of sweetening the application;
- environmentally friendly buildings and community facilities nothing more than inducements to win favour of residents, do not need them;
- not included in housing's 25 year plan;
- inconsistent with residential growth point function envisaged for village;
- village expected to expand significantly with 500 - 600 new homes, so more traffic on roads;
- three eco houses has no coherence with main proposal and is a confusing diversion;
- no additional housing needed as pre-planning in multiple areas already approved and underway;
- housing only likely to house the most vulnerable;
- offering more affordable homes to get through planning is a joke; and
- only the most vulnerable families, who are otherwise unable to obtain suitable accommodation would take up residence in the properties proposed, such people and their children are easily exploited.

Community Centre and Facilities

- the community centre and trim trail are out of policy (*these elements have since been removed from the proposals*);
- how can it be sensible to put a community centre, trim trail and houses next to a factory with hundreds of lorries daily (*the community centre and trim trail have since been removed from the proposals*);
- the community centre wouldn't be used due to noise from the factory and vehicle movements would be dangerous to the public (*the community centre has since been removed from the proposed development*);
- community use is like creating an amusement park at an atomic power station (*the community use element of the proposals has since been removed*);
- applaud the community use of the fishing ponds but they were previously available for the whole village (*the use of the ponds for the public has since been removed from the proposals*);
- no positive social impact in providing community centre as already a successful one located in the village (*the community centre has since been removed from the proposals*);
- community provision in totally the wrong place in the village (*the community element has since been removed from the proposals*);
- odd that no s.106 or CIL monies offered for Parish to use on more centralised facilities; and
- since fishing lake and community building have been removed, the firm is giving nothing back to the community.

Norton Disney Application and Alternatives

- makes sense for the factory to go to Norton Disney and remove lorries from Skellingthorpe;
- needs relocating to a non-village site;
- the application should be refused and the one at Norton Disney approved as plant traffic would enter and exit from the A46 whereas Skellingthorpe site traffic comes down minor roads not constructed for heavy lorries;
- the Norton Disney application would have less of an impact on the surrounding community;
- alternative sites are far more suitable with access to A46;
- question the 3,700 signature petition to the Norton Disney proposal when the village has 226 inhabitants;
- an industrial park with suitable road access would be much more sensible;
- unclear how the Norton Disney application would affect usage at Skellingthorpe;
- makes sense to locate it next to the Energy from Waste facility at Whisby Road, North Hykeham where it can be easily access and take traffic off narrow country lanes; and
- comparison maps and charts submitted showing that if the Norton Disney application is unsuitable, the Skellingthorpe one has more compelling reasons for refusal on the basis of the number of people affected, proximity of the nearest building, proximity of a school, proximity of the A46.

General / Other

- the village is lovely;
- increased activity;
- increase in noise, pollution and traffic will ruin the attractiveness and desirability of the village;
- negative impact on residents' water supply when the factory draws water;
- the existing business is not owned by the Leo Group (the parent company of the applicant), so cannot have a seamless transition;
- Leo Group has a history of violations at other sites;
- what constraints in terms of production and vehicle movements will be put in place going forwards?
- access to the existing two public rights of way should be formally agreed as part of a planning agreement;
- concern about rules and terms being broken, rather than objecting to principle of rendering plant;
- impact on house value;
- impact on farm traffic and future of village;
- doesn't belong in a village environment;
- reported criminal, corrupt and negligent actions of the Leo Group and Managing Director;
- cannot sustain larger development within current site;
- surprised even allowed in residential area;
- operators history of mismanagement and abuses of environmental protection needs;
- concerns regarding keeping the footpaths and bridleways intact;
- no evidence or guarantee that won't have a serious negative impact on residents of Skellingthorpe;
- current plant already has negative impact on the environment and transport links and the plans would make it worse;
- drainage needs improving on the corner of Jerusalem Road;
- it will blight the lives of residents and undermine the visitor experience of Doddington
- it will blight users of leisure and tourist facilities and is counter to local and national tourism and obesity policy;
- impact on saleability of new houses planned for Skellingthorpe;
- village cannot cope as local services are stretched beyond breaking point;
- LCC should put people and the environment first;
- long term impacts of being so close to the population will be seen in the next 20 years;
- the housing is a way to break the lease (this refers to the existing lease between the landlord and the current site operators);
- 15 year payback on investment means the plant's capacity and lorry movements will have to increase substantially on current levels;
- at a public meeting would only commit to keeping lorry movements and capacity the same for three years;
- it having been there for years is academic;
- site may have been suitable 45 years ago but no longer is;

- change in ownership should be an opportunity to say enough is enough;
- concerns regarding the health and well-being of children;
- damage to Conservation Area;
- environmental impacts of three plants so close to each other – Skellingthorpe, North Hykeham and potentially Norton Disney;
- mental health of people could be affected as a result of noise and smells;
- will impact on Birchwood ward;
- application misconceived, poorly presented and premature;
- if there was no existing factory, don't believe planning permission would be granted for a business of this nature so close to a large village;
- concern regarding concurrent running of the two plants on site;
- the tenant has not applied for this development;
- not being told the true intentions of the company;
- material will be coming from Penrith;
- wish the people of Skellingthorpe would be listened to;
- involved in similar application at JG Pears at Grassthorpe (Nottinghamshire) site with scores of vehicles passing former home, foul smell and continuous dropping of offal; and
- close to school for children with special needs, where young people will be badly affected by smell, noise, HGVs and should be located on a brownfield site not in the middle of 12 villages (whilst this representation was submitted in relation to this application, it appears to relate to the proposed development at Villa Farm, Norton Disney).

In addition, a petition entitled "Petition and Covering Notes from Stop Leo Campaign Group for Planning Application PL/0055/18" was submitted in September 2018 with 623 signatures. It is unclear how much of the information submitted was available to those who have signed the petition. The documents submitted with the petition compare the proposals at Jerusalem Farm, Skellingthorpe to the (separate) planning application at Villa Farm, Norton Disney; refer to the actions and interactions of the Leo Group; and consider Council policy objectives. The pages on which signatures have been collected are entitled "Petition against the building of a new animal rendering plant on Jerusalem Farm, Skellingthorpe by the Leo group. See the Lincolnshire County Council planning application PL/0055/18". Full addresses of the signatories are not included and it appears that in certain cases, the same signatory has signed the petition in more than one instance.

District Council's Recommendations

64. North Kesteven District Council initially submitted the following comments in relation to the development, as originally proposed. It stated that these comments should be read in tandem with its Planning Committee report and Addendum Report, along with (in relation to Odour and Air Quality) the associated technical review undertaken by AECOM dated 15 August and (in relation to noise, construction impacts and contaminated land) the comments provided by the Council's Environmental Health Officer.

North Kesteven District Council raise objections in relation to the following matters:

- (i) Residential Development (Principle of Development, Odour and Noise (amenity)) - the site is an inappropriate location for new residential development. The site is located in countryside beyond the developed footprint of the village, and no exceptional case for residential development has been presented. By virtue of the close proximity of the dwellings to the ABP plant, occupants would be exposed to poor amenity standards and unpleasant noise and odour events generated from site operations and as such new dwellings are incompatible with the primary use of the site. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP2, LP26 and LP55 of the CLLP.
- (ii) Community Hub and Open Space (Principle of Development, Odour and Noise (amenity)) - the applicant has failed to demonstrate that there is a quantitative or qualitative need for new open space, that a new community hub is required relative to existing and planned provision, that it would be conveniently located and accessible to all and furthermore that users of the hub would not be exposed to unacceptable levels of noise and odour associated with site operations. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP15, LP24/Appendix C, LP26 and LP55 of the CLLP.
- (iii) ABP Plant (Odour and Air Quality) - as submitted the proposals fail to fully assess odour impacts, not limited to the use of the appropriate Environment Agency (EA) guidance 'H4 Odour Management' odour classification, fugitive emissions, the baseline information provided and overall plant capacity or maximum throughput. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP5, LP26 and LP55 of the CLLP.
- (iv) ABP Plant (Noise, Contaminated Land and Construction) - the proposals are accompanied by an incomplete phase 1 contaminated land assessment and the noise assessment does not consider all potential sources of noise, fails to adopt an appropriate background noise level, justify the conclusion that the site redevelopment would reduce noise impacts compared with current operations and fails to consider noise impact on community hub users. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP5, LP16, LP26 and LP55 of the CLLP.
- (v) ABP Plant/Residential/Community Hub (Traffic and Transport) - the District Council request the County Council to seek further clarity on potential alternative access arrangements in discussion with the Highway Authority, to demonstrate compliance with policy DM13 of the CSDMP and policy LP13 of the CLLP. Furthermore, construction and operational routing agreements must be secured restricting access to the site through the centre of Skellingthorpe or Doddington.

North Kesteven District Council raise concerns in relation to the following matters:

- (vi) ABP Plant/Residential/Community Hub (Landscape and Visual Impacts and trees) - in order to demonstrate compliance with policies DM6 of the CSDMP, and LP17 and LP26 of the CLLP, a tree survey should be submitted to demonstrate the impact of development on existing trees including the potential for tree retention.
- (vii) ABP Plant/Residential/Community Hub (Minerals Safeguarding) - the site is within a Sand and Gravel Safeguarding area and as such a Minerals Assessment should be provided in order to demonstrate compliance with policy M11 of the CSDMP.

In relation to the proposed ABP Plant (Principle of Development and Concurrent Operations) it was resolved that Lincolnshire County Council should satisfy themselves that the proposals accord with relevant policy and that a condition or planning obligation can be applied to restrict concurrent uses. With reference to the proposed ABP Plant (Historic Environment matters), Lincolnshire County Council should seek advice from the relevant consultees and thereafter ensure that the proposals accord with relevant policy and that conditions can be applied as appropriate.

In relation to secondary issues it was resolved that Lincolnshire County Council should seek advice from the relevant consultees including in relation to impacts upon Doddington Clay Woods SSSI and thereafter ensure that the proposals accord with relevant policy and that conditions can be applied as appropriate.

Following receipt of the further information, North Kesteven District Council made the following representations. It is stated that these comments should be read in tandem with the Planning Committee report and Addendum Report, along with (in relation to Odour and Air Quality) the associated technical review undertaken by AECOM.

North Kesteven District Council raise objections in relation to the following matters:

- (1) ABP Plant (Odour and Air Quality) - objection. As submitted the proposals fail to properly assess odour impacts, not limited to the use of the appropriate Environment Agency (EA) guidance 'H4 Odour Management' odour classification, and in relation to fugitive emissions associated with the passage and potential queueing of HGV's carrying raw material along the access road. The Council consider the correct approach is to apply the 'most offensive' odour category and that the applicant's rationale for selecting the 'moderately offensive' category is not sufficiently precautionary. The proposed affordable housing units and manager's accommodation are located only just outside the 1.5 O/U isopleth and where that

threshold indicates that significant adverse impacts would be experienced.

Furthermore there is no certainty that the surrogate odour emissions data from the Penrith plant (which does not accept Category 1 and 2 material) can be applied to the Skellingthorpe site, which would accept Category 1-3 wastes and there remains some uncertainty regarding overall throughput and capacity of the site relative to the current operation. Overall on this basis there is insufficient evidence to state with certainty that actual odour concentrations at the four proposed on-site dwellings would fall below the 1.5 O/U threshold and therefore the District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, policies LP5, LP26 and LP55 of the CLLP and paragraph 127 of the NPPF.

- (2) ABP Plant (Noise) - objection. As submitted the proposals fail to properly assess noise arising from the development in accordance with section 8 of BS:4142 given that the applicant has failed to apply the correct approach to background noise assessment. Furthermore the applicant has failed to evidence why a +3 decibel (db) HGV noise penalty has only been applied to predicted daytime noise levels, and not to night time noise levels. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, policy LP5, LP26 and LP55 of the CLLP and paragraph 127 of the NPPF.
- (3) ABP Plant (Contaminated Land) - objection. The application does not include a phase 1 preliminary risk assessment of the whole site which assesses the risk of contamination associated with the redevelopment of the site and therefore the suitability of the land for its intended uses, contrary to policy LP16 of the CLLP and paragraph 178 of the NPPF.
- (4) Residential Development - Affordable Housing (Principle of Development, Design and Residential Amenity) – objection. The site is an inappropriate location for new residential development. The site is located in countryside beyond the developed footprint of the village, and no exceptional case or justification for the provision of rural affordable housing has been presented in terms of local need. Local community support for the provision of affordable housing has not been clearly demonstrated. In addition, the "eco-home" design and detached nature of the affordable dwellings means they may not be of interest in terms of acquisition by a registered affordable housing provider.

Furthermore by virtue of the close proximity of these dwellings to the proposed ABP plant and its access road, occupants would be exposed to poor amenity standards through unpleasant noise and odour events generated from site operations and traffic movements. As such, the proposed affordable dwellings would be incompatible with the primary use of the site. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, with CLLP policies LP2, LP11, LP26 and LP55 and to paragraph 127 of the NPPF.

- (5) Residential Development, Site Manager's House (Principle of Development and Residential Amenity) – objection. The site is an inappropriate location for new residential development. The site is located in countryside beyond the developed footprint of the village. No exceptional case or justification for a site manager's dwelling has been presented in terms of functional need in relation to the proposed ABP plant, and/or in terms of a lack of suitable and available alternative accommodation in Skellingthorpe or nearby. Furthermore by virtue of the close proximity of this dwelling to the proposed ABP plant and its access road, occupants would be exposed to poor amenity standards through unpleasant noise and odour events generated from site operations and traffic movements. As such, and in the absence of a specific functional need or other justification for a site manager's house, this would be incompatible with the primary use of the site. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, with CLLP policies LP2, LP26 and LP55 and to paragraph 127 of the NPPF.

North Kesteven District Council raise concerns in relation to the following matters:

- (6) ABP Plant/Residential Development (proposed s106 contribution for community uses) - raise concerns. The District Council advise the County Council to have careful regard to the applicant's proposed financial contribution to improve community uses elsewhere in Skellingthorpe having regard to the statutory tests for the use of Planning Obligations set out in NPPF paragraph 56. No further information has been presented by the applicant and the Council's view is that such a contribution is not relevant to the proposed development and that no planning weight should be afforded to it.
- (7) ABP Plant/Residential Development (Traffic and Transport) - raise concerns. The District Council request the County Council to continue to seek further clarity on potential alternative access arrangements in discussion with the Highway Authority, to demonstrate compliance with policy DM13 of the CSDMP and policy LP13 of the CLLP. Furthermore, construction and operational routeing agreements should be secured restricting site access through the centre of Skellingthorpe. In addition Lincolnshire County Council are requested to limit future impacts on residential amenity by imposing restrictions on the number of HGV movements associated with the development, and the total permissible annual tonnage throughput of the ABP Plant. Such restrictions should include a scheme of monitoring of HGV movements and an associated penalty scheme to ensure compliance.

North Kesteven District Council make comments in relation to the following matters:

- (8) ABP Plant (Principle of Development and Concurrent Operations) - that the County Council satisfy themselves that the proposals accord with

relevant policy and that a condition or planning obligation can be applied to restrict concurrent uses.

- (9) ABP Plant (Historic Environment) - that the County Council ensure that the proposals accord with relevant policy (including the assessment of public benefit set against 'less than substantial harm' caused to Doddington Hall) and that conditions can be applied as appropriate.
- (10) ABP Plant (Ecology) - that the County Council take into account the advice of statutory consultees including to require the applicants to carry out a further assessment of the potential impacts of the development in terms of acidic deposition on Doddington Clay Woods SSSI in combination with other developments in the area.
- (11) ABP Plant (External Lighting) - that the County Council consider the imposition of a condition requiring details of external lighting which satisfies, as a minimum, Environmental Zone E2 standards as set out in the Institute of Lighting Engineer's (ILE) guidance.

Conclusions

- 65. Planning permission is sought for the demolition of the existing animal by products processing plant and all associated installations; and the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars, commercial vehicles and trailers used in connection with the operation; residential development to provide three environmentally sustainable eco affordable homes and one manager's house for the processing plant; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe.
- 66. The application needs to be considered as a whole, however, it is comprised of two parts, one being the animal by-products plant, the other being the dwellings. The policy context for the determination of this application requires assessment of each component part, as well as an assessment of the whole.
- 67. There are a wide range of key issues to be considered in relation to this proposal, which are set out below.

Location

- 68. It is first necessary to establish the location status of the proposed development site, as this has implications for the policy context for the assessment of the proposals.
- 69. Policy LP2 of the CLLP classifies Skellingthorpe as a fourth tier "large village". The CLLP does not define settlement boundaries for such villages

on the Policies Map, however, policy LP2 defines the “developed footprint” of a settlement as the continuous built form of the settlement and excludes (amongst other things) individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement.

70. The application site lies beyond the south western edge of Skellingthorpe. Immediately to the north east and south east of the site are a number of dwellings and agricultural buildings. The development pattern of these buildings is different in character to the continuous built up area of Skellingthorpe, as there are more significant gaps between the buildings, with clear views to the open countryside to the rear, and they form a distinct ribbon pattern of development. There is a significant gap between the dwellings to the north east of the site entrance and the dwellings to the south east, together with a gap between the entrance itself and the dwellings to the south east. The built development lies largely to the west of Jerusalem Road and the buildings appear detached from the continuous built up area of the village.
71. The application site lies to the west of this ribbon pattern of development, on the right angled bend in Jerusalem Road. Views into the application site in this area are very limited, both at the site entrance and from the north east and south east. The site is clearly detached from the continuous built up area of Skellingthorpe and therefore cannot be considered to be within the “developed footprint”. CLLP policy LP2 clearly states that agricultural buildings and associated land on the edge of settlements is excluded from the definition of the “developed footprint”. Given the character of the development to the north east of the site, immediately adjacent to a Public Right of Way (PRoW) and beyond this, a series of agricultural buildings, it is also not considered that the application site lies adjacent to the continuous built up area of Skellingthorpe. As such, the application site lies within the countryside.
72. All elements of the proposed development must therefore be considered in relation to the policy context for development in the countryside.
73. It is noted that the applicant disagrees with this assessment of the location of the application site and has submitted that it should be considered as part of the built up area of Skellingthorpe.

Principle of the Development

74. Whilst it is correct and necessary to deal with the proposed development as a whole, given that there is a residential element and an industrial element to the proposals, it is considered appropriate to consider each element individually in relation to the principle of the development, as well as considering them collectively.
75. Turning first to the ABP plant part of the proposals. As described above, this part of the proposals constitutes a waste management development. Policies W3 and W8 are the most appropriate policies in the CSDMP dealing

with such developments, together with policy DM2 which sets out the requirement to implement the waste hierarchy. Policy W3 sets out the spatial strategy for new waste facilities and policy W8 seeks to safeguard existing waste management sites and prevent the encroachment of incompatible development. There are no policies in the CSDMP which deal with the rendering of animal by-products.

76. Policy DM2 reflects the National Planning Policy for Waste's approach to the waste hierarchy, with a view to pushing waste as far up the hierarchy as possible. The rendering process which would take place at the proposed ABP plant, takes the waste ABP and processes it in such a manner that it is re-used to create new products, such as those set out above. Whilst it is not permitted in the UK to landfill ABP, the proposed plant ensures that this stream of waste is re-used and therefore is close to the top of the waste hierarchy, in accordance with policy DM2.
77. Policy W3 relates primarily to new waste facilities and large extensions to existing waste facilities, rather than specifically to proposals for replacement facilities. The provisions within the policy therefore do not directly relate to the current proposals, but it is the most appropriate policy to consider the proposals. New waste facilities are required to be located in and around main urban areas, of which Skellingthorpe is not one. In relation to new waste facilities outside these urban areas, the policy requires further criteria to be met, none of which is applicable to the current proposals. The policy provision for large extensions to existing facilities, falling outside the urban areas, will only be permitted where it is demonstrated that they meet an identified waste management need; are well located to the arisings of the waste it would manage; are on or close to an A class road; and meet the criteria of policy W4.
78. Taking the criteria of policy W3 first, the ABP plant element of the proposed development would replace an existing ABP plant, which it is understood has been operational for many years. The proposals are to update and upgrade the existing facility on the site. Whilst there is no confirmation as to the difference in throughput between the existing and proposed developments (no information has been provided regarding existing throughput), the existing site is currently operational, as such, it is reasonable, as a matter of principle, to conclude that there is an existing need for the waste management operation and that it is located appropriately to serve its customer base (as a matter of principle, as no details of the customer base have been provided). The site is not located on an A class road but is within 3km travelling distance of the A46, and so is considered to meet the criterion of being close to an A class road. In relation to the requirement to meet the criteria of policy W4, three of the possible five criteria regarding location within that policy are fulfilled, as the site is previously developed with industrial buildings and is in a waste management use.
79. The provisions of policy W8 would be complied with in relation to the proposed ABP plant, as the proposals would retain the existing waste management use of the site, albeit that the built footprint of the development

would be within a different area of the overall site. The proposals would therefore not result in the loss of the waste management facility.

80. It is therefore considered that the ABP plant element of the proposed development is in broad compliance with the policies in the CSDMP, in relation to the principle of the development.
81. Policy LP3 of the CLLP sets the context for the level and distribution of growth across Central Lincolnshire and the proposal site lies within the Lincoln Strategy Area, within which employment growth is encouraged. It is then necessary to consider the principle of the ABP plant in relation to policy LP5 of the CLLP.
82. A similar situation arises in relation to CLLP policy LP5, as described above in relation to CSDMP policy W3, in that policy LP5 refers to new development and expansion of existing businesses, rather than replacement facilities. In relation to new facilities on non-allocated sites, the policy requires demonstration that there are no suitable or alternative sites or buildings within allocated sites or within the built up area of the existing settlement; that development proposals do not adversely affect the character and appearance of the area; that the scale of the proposals is commensurate with the scale and character of the existing settlement and that proposals maximise opportunities for modal shift away from the private car. In relation to expansion of existing businesses, the policy encourages reusing existing buildings where possible. Both parts of this policy also seek to ensure development proposals do not conflict with neighbouring land uses; and do not have adverse impacts on the highway network. An assessment of these more detailed matters is carried out below in subsequent sections of this report, and this will lead to conclusions being drawn at the end of the report, regarding the appropriateness of the development in relation to CLLP policy LP5, whilst noting that in principle, policies LP3 and LP5 encourage employment development and so the proposed development does not conflict with these policies in that regard.
83. In relation to the housing element of the proposals, the CSDMP does not set out policies specifically regarding this type of development, however, policy W8 seeks to prevent the encroachment of incompatible development on existing waste management sites. The proposed four dwellings are located within the overall existing waste management site and therefore consideration needs to be given to this aspect of policy W8. Residential properties are not in general considered to be a type of development directly compatible with a waste management operation, indeed the supporting text to policy W8, at paragraph 6.65 refers specifically to housing as being a sensitive land use. It is therefore reasonable to conclude that in principle, a residential use on a waste management site is not supported by policy W8.
84. Given that the application site lies within the countryside, policy LP11, with specific reference to rural affordable housing, and policy LP55, with specific reference to new dwellings in the countryside, of the CLLP are of relevance to the principle of this element of the proposed development.

85. The application states that four dwellings are proposed at the site, one of which is proposed to be a manager's house, associated with the proposed ABP plant, and three are proposed to be affordable houses.
86. The manager's house is proposed to be located to the south of the proposed access road into the site. This is proposed to be a single storey, three bedroom dwelling, set within a garden which is primarily located to the west of the dwelling. Policy LP55 states that new dwellings in the countryside will only be acceptable where they are essential to the effective operation of rural operations. Waste management operations are one such allowable type of rural operation. The policy goes on to require applicants to provide seven categories of information to demonstrate that the proposed new dwelling is essential to the effective operation of the business (as set out above in the policy section of this report). The applicant has only provided details of the proposed rural operation insofar as the details are provided in relation to the proposed ABP plant. Further information was requested from the applicant seeking evidence and justification for the manager's dwelling. In response to this request, the applicant submitted information stating that the presence or absence of a manager's house is a matter of operator choice and that the current operator is a local business, whereas the proposed development would be operated by the Leo Group and the site is remote from its existing operational plants in the north of England and the head office in Halifax, West Yorkshire. The applicant states that an on-site manager would be best placed to act promptly to address any operational issues and incident management. The applicant also states that the dwelling could be subject to a restrictive occupancy planning condition or s.106 planning obligation.
87. Operator choice is not a demonstration of need for a dwelling in the countryside. No evidence of there being any essential need to have a manager live at the site has been provided. No information relating to the number of workers occupying the dwelling has explicitly been provided, although it may be reasonable to assume that there is only one site manager proposed and so the dwelling would be for one worker (and potentially their family). Details have not been provided regarding how the proposed size of the dwelling relates to the enterprise. No assessment of the suitability of accommodation within the local area, including within the village of Skellingthorpe, has been undertaken or provided to demonstrate that a new dwelling is required on the site. Skellingthorpe is a large village and there are residential properties within walking distance of the application site, which may provide suitable accommodation for a site manager, and enable fast access to the site should the need arise (although no details of what those needs might be have been provided).
88. Details of the business accounts or a detailed business plan have not been provided and neither have details of the length of time the enterprise the dwelling will support has been established (although there is an established business on the site which it is understood has been operational for many years, the applicant does not currently operate the site and there is no guarantee that the existing customer base would automatically transfer to the applicant, this is particularly pertinent given that the operators of the

existing site have submitted a planning application for a new ABP plant elsewhere (albeit that this application has yet to be determined)).

89. Therefore, of the seven categories of information required to demonstrate that a new dwelling is essential to the effective operation of the site, it is only possible to conclude (and only by inference, rather than as an explicit justification), that two of these pieces of information have been provided, and no details of the remaining five categories of information have been provided at all. The information which has been provided does not demonstrate or provide any evidence that a manager's house is required at this site.
90. It is therefore concluded that there is no justification provided which demonstrates the proposed manager's house is essential to the effective operation of the ABP plant. The manager's dwelling is therefore contrary to CLLP policy LP55.
91. The applicant states that this proposed dwelling would not be a conventional dwelling in its own right and could be subject to a restrictive occupancy condition or s.106 legal obligation. Whilst any such new dwelling would be required to be subject to restrictive occupancy, the use of conditions and planning obligations can only take place where it is necessary and justifiable to do so. It is neither necessary, nor justifiable, to impose such a restriction on this proposed dwelling, as there is no evidence to support it being essential to the effective operation of the proposed ABP plant. These mechanisms therefore cannot be utilised to secure a restriction on the occupancy, notwithstanding that the proposed dwelling is contrary to policy.
92. The three other dwellings proposed on the site are now proposed to be affordable housing (in the application as originally submitted, they were proposed to be open market housing). They each comprise detached, four bedroomed (three with en-suite bathrooms), single storey dwellings, with detached single garages, set within plots with gardens to the rear. The properties are described as being eco-homes, although no specific sustainability credentials have been identified. The properties are of a non-traditional design.
93. These three affordable dwellings are not sought to be justified in relation to CLLP policy LP55, as they are not essential for the effective operation of a rural business. Given that the site lies within the countryside, the rural affordable housing part of CLLP policy LP11 is of relevance to the assessment of appropriateness of these dwellings. The policy states that rural affordable housing may be permitted as an exception to the policies in the development plan where there is a local needs assessment demonstrating a need and that there is clear local community support for the affordable housing proposed.
94. In relation to the need for the affordable housing, the applicant has not undertaken a local needs housing assessment and instead refers to the 2015 Strategic Housing Market Assessment (SHMA) prepared for Central Lincolnshire as background information to inform the production of the

CLLP. The SHMA identifies a requirement of 17,400 affordable homes across Central Lincolnshire for the 24 year period between 2012 and 2036. The applicant's further information refers to a "sizeable backlog" which was required to be addressed, however, the figure quoted related to the City of Lincoln administrative area, not the North Kesteven District Council administrative area (where the application site lies) and the SHMA actually states that there was a surplus of supply to meet any backlog within the North Kesteven District Council administrative area. There was therefore no requirement identified in the SHMA to meet any backlog within North Kesteven.

95. The SHMA goes on to identify a newly arising future need for affordable housing in North Kesteven and across the whole Central Lincolnshire area, and the collated figure of 17,400 affordable homes between 2012 and 2036 relates to this (and to any backlog in the other administrative areas). There is therefore an ongoing requirement to deliver affordable housing at both the District and Central Lincolnshire level.
96. However, policy LP11 very specifically refers to local needs in relation to rural exception sites. There is an important distinction to be made between delivering affordable housing in the countryside to meet an overall District or Central Lincolnshire level requirement, as opposed to meeting an identified local need for such housing. If this distinction was not made, the rural exceptions policy would not be "exceptional" and could lead to a proliferation of such housing in the countryside, given the District and Central Lincolnshire level requirements for affordable housing. It is therefore necessary for the applicant to demonstrate that there is a clear local need for the affordable housing, and that this justifies an exception to the policy approach of the rest of the development plan, which restricts development in the countryside. This approach is reflected in the NPPF at paragraph 77.
97. As stated above, the applicant has not undertaken a local housing needs assessment. The most recent assessment was prepared by North Kesteven District Council in April 2013, the "Local Affordable Housing Needs Survey Analysis Report for Skellingthorpe, Doddington and Whisby Parishes". This is clearly somewhat out of date, but is the only comparable information available at this time. This assessment identified a need for 11 affordable homes for the parishes of Skellingthorpe, Doddington and Whisby, arising from residents of those settlements. This information is not broken down further into the separate settlements and so it is not possible to provide a specific figure for Skellingthorpe alone. The Housing Needs Survey Analysis Report also includes the results from a separate questionnaire which was sent out to a wider audience of people on the Council's housing register (but not living in Skellingthorpe, Doddington or Whisby). This identified that 29 people indicated they have a strong connection with one of these Parishes, thus giving a combined total need for 40 affordable houses.
98. North Kesteven District Council has advised that from 2015 to date, 14 affordable homes have been delivered in Skellingthorpe and that a further circa 49 affordable homes have been secured through s.106 legal agreements across the Skellingthorpe residential allocations, set out in

policy LP52 of the CLLP. This level of affordable housing clearly exceeds the need identified in the 2013 Local Affordable Housing Needs Survey.

99. North Kesteven District Council also advise that the level of affordable housing secured through the housing allocations in Skellingthorpe has been below the threshold of 25% of all housing, as required by policy LP11, but that this was to enable these sites to deliver other planning objectives (specifically the funding of a community hub in the village through increased amounts of pooled s.106 commuted sum contributions). The 25% figure cited in policy LP11 relates to development within the Lincoln Strategy Area, within which Skellingthorpe lies, but this is a large area, including and surrounding the city of Lincoln and does not only relate to the village of Skellingthorpe.
100. Notwithstanding this, North Kesteven District Council's Housing Strategy Officer has advised that affordable housing delivery in Skellingthorpe over recent years, together with that provided through existing planning permissions, is expected to meet the previously identified local need.
101. It should also be noted that the 2013 Local Affordable Housing Needs Survey identified no need for four bedroomed houses, as is proposed in this case, the need identified was for 1, 2 and 3 bedroomed dwellings.
102. It is therefore concluded that there is no evidence of demonstrable local need for the three proposed affordable houses in Skellingthorpe and that the proposals would be contrary to policy LP11 in this regard. There is no evidence to justify an exception to the policies in the local plan, restricting development in the countryside, being taken in this regard.
103. Notwithstanding the failure of the application to comply with the first requirement of policy LP11 regarding local need, it is also necessary to consider the second requirement of the policy, which is to demonstrate clear local community support for the proposed affordable housing. Community support in this context is defined in CLLP policy LP2 as clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise or, if this cannot be demonstrated, support from the applicable Parish Council.
104. No pre-application consultations with the local community took place prior to the submission of this application and no community consultation instigated by the applicant has taken place since the description of development was changed from market housing to affordable housing. There can therefore be no conclusions drawn on the views of the community on this specific matter in regard to either of these stages of the process.
105. Two public consultation events were arranged by the applicant and took place on 18 and 25 June 2018. These were held after the submission of the original application, but before the submission of the further information, and the amendments to include affordable housing, taking place.

106. In July 2018, the applicant submitted a document providing an update on the aforementioned public consultation events. This document does not make reference to the proposed affordable housing. No precise details have been provided of what was presented at the events; whether there was any information about the proposal to include affordable housing, and if so, what information and displays were available showing the affordable housing; or what questions the attendees of the consultation event were asked. The document includes a report on a question and answer session and states that a question was asked as to why the applicant couldn't build affordable houses rather than expensive eco-homes. The stated response is that the company would have no problem do that, subject to a discussion with the local council. That this question was raised at one of the public consultation events does not indicate any degree of support for the current proposals, as there is no indication of what the questioner understood affordable housing to mean (that is, whether it was affordable housing in line with the NPPF definition), whether it was their intention that the affordable housing should be provided on the site or even whether the person asking the question was a member of the local community. The document also states which the most frequently mentioned issues were during the question and answer session; affordable housing is not listed as one of these frequently mentioned issues.
107. It is understood that feedback forms were available at the consultation events. A total of 34 completed feedback forms are included within the report, none of which mention affordable housing and therefore no evidence of support for affordable housing can be gleaned from these forms, or from the report as a whole.
108. The further information submitted in April 2019 states that there was a clear and consistent message at the consultation events that any new homes should be affordable to meet the needs of local people, in preference to market housing, and that newly formed households from existing families struggle to find homes in the village where they would prefer to stay. This is not reported at all in the document submitted in 2018 regarding the consultation events, and indeed that document (at paragraph 29) specifically states that *"it has been concluded that no substantive changes need to be made to the content of the planning application"*. No evidence has been presented to substantiate the statement in the April 2019 further information regarding local needs.
109. North Kesteven District Council has referred in its Committee report regarding this proposed development, to an appeal decision which is of relevance to the matter of demonstrating local community support. The appeal relates to a site in West Lindsey District (reference APP/N2535/W/18/3207564) and was determined in February 2019, so is an up to date position on the situation. The appellants in that case, which was a hybrid application including amongst other elements, up to 50 dwellings, referred to a draft guidance note prepared by North Kesteven District Council in 2017 addressing the issue of "demonstrable evidence of clear local community support", to assist in the implementation of CLLP policy LP2 (the CLLP also covers the administrative area of West Lindsey District

Council). The Inspector in that case stated that the weight to be afforded to the draft guidance was significantly limited by its status as draft guidance and that it was produced by a different local planning authority, however, she goes on to set out what she considers is necessary to demonstrate clear community support. The Inspector states *“in my judgement it would be necessary to provide detailed evidence of the consultation material provided to local residents; the questions posed; the display material provided; and the full comments made”*. The Inspector endorsed the policy requirement to demonstrate clear community support and how that could be evidenced. It is acknowledged that the appeal case related to up to 50 dwellings and the proposals in this case are only for three dwellings, however, the principle of the approach is applicable. The applicant has not undertaken any consultation with the local community since the affordable housing proposals were introduced to the scheme and has not complied with the approach recommended by the Inspector.

110. It cannot therefore be concluded that there was local community support expressed or substantiated at the consultation events and there is no evidence of local community support for affordable housing at this site from any of the documentation provided by the applicant.
111. Many representations from local residents were received prior to the amendment of the application to include affordable, rather than market housing, objecting to the proposed housing on the grounds that it was contrary to policy, however, these representations do not directly relate to the three proposed affordable houses.
112. In relation to the consultation the County Council undertook following receipt of the further information and the amendment to the proposed affordable housing, no representations of support have been received from the local community in relation to the affordable housing (no representations of support have been received at all since the change of description of development). Further representations have, however, been received objecting to the proposed development. Indeed, one respondent stated that offering affordable housing to get through planning was “a joke” and another expressed significant concerns that only the most vulnerable people, who are easily exploited and will take any roof over their heads, would take up residence in such properties. Clearly neither of these representations demonstrate any level of support for the affordable housing and both were made by Skellingthorpe residents.
113. Skellingthorpe Parish Council responded to the reconsultation on the further information submitted, in which the application was amended to change the market housing to affordable housing, stating that their previous objection was maintained. Skellingthorpe Parish Council has therefore not expressed support for the proposed affordable housing.
114. It can therefore only be concluded that there is no demonstrable evidence of local community support for the proposed affordable housing, contrary to policy LP11.

115. The proposed development has failed to meet the two conditions of policy LP11 which are required to be met in order for consideration to be given as to whether rural affordable housing may be permitted. The development is therefore contrary to policy LP11, as a matter of principle.
116. More detailed matters relating to affordable housing, for example in relation the amenities and design, are discussed in subsequent sections of this report.
117. Overall, whilst the principle of the ABP plant accords with policies W3, W4, W8 and DM2 of the CSDMP and policies LP3 and LP5 of the CLLP, the principle of the manager's house is contrary to policy LP55 of the CLLP and therefore contrary to policy W8 of the CSDMP, and the principle of the affordable housing is contrary to policy LP11 of the CLLP and policy W8 of the CSDMP.

Highways and Transport

118. The NPPF, CSDMP policy DM14 and CLLP policy LP13 set the context for consideration of highways and transport issues, encouraging a sustainable approach to transport and ensuring development does not cause adverse impacts to the road network or highway safety.
119. The site is proposed to be accessible 24 hours a day, seven days a week, although it is not proposed to operate the plant on Sundays. The site would be accessed by HGVs and staff associated with the ABP plant and residents associated with the proposed dwellings. The ES states that approximately 75 staff would be employed at the site on a 2 by 12 hour shift pattern.
120. The further information submitted as a result of the Regulation 25 request, confirms the maximum throughput of the proposed ABP plant as being 5,760 tonnes per week. It states that the HGV movements assessed in the Transport Statement, within the ES, are on the basis of 547 HGV movements per week (that is, 273.5 HGV inward movements) equating to the delivery of 6,564 tonnes of raw material per week, and so the Transport Statement has been undertaken on a worse-case scenario. It is acknowledged that not all HGV deliveries will be carrying full payloads. The site is located approximately 3km travel distance from the A46 trunk road.
121. As part of the proposed development, the upgrading of the existing access is proposed. The existing access from Jerusalem Road is approximately 5.5 metres wide and is located on the outside of a 90 degree, 33 metre centreline radius bend in Jerusalem Road. As a result, it is stated in the ES that there is currently insufficient space for a HGV to enter the site if one is waiting to leave, and vice versa. Forward visibility for vehicles turning right into the existing site is limited to 33 metres. The proposed improvements to the access are stated to seek to address these matters by increasing the width of the access to 7.3 metres and amending the radii of the access from Jerusalem Road in order that two HGVs can pass. The ES notes that despite the current access arrangements, there is no record of personal injury accidents at the existing access.

122. The applicant has also stated a willingness to enter into a routing agreement to ensure HGVs do not travel through the centre of the village of Skellingthorpe.
123. Matters in relation to highways and transport were one of the key areas of objection raised in the representations received to the proposed development. Local residents have raised concerns that the road network is not suitable to cope with the proposed development; that there would be implications for highway safety; and that they would not want any increase in HGV movements.
124. North Kesteven District Council has raised concerns regarding highways matters, requesting that the County Council seek further clarity on the potential for alternative access arrangements; if planning permission is granted, ensure routing agreements are secured restricting access to the site through the centre of Skellingthorpe; and limiting future impacts on residential amenity by restricting the number of HGV movements associated with the development and the total permissible annual tonnage of throughput of the ABP plant. North Kesteven District Council's Councillor Goldson endorses these comments.
125. Lincolnshire County Councillor, Councillor Thompson, Nottinghamshire County Council, a Nottinghamshire County Councillor and a number of Parish Councils have requested routing agreements to ensure that HGV do not travel through local villages but instead are required to travel directly to and from the A46. Skellingthorpe Parish Council requested that if planning permission was granted, HGV movements should be restricted to daytime hours. Councillor Thompson specifically seeks to prevent HGVs travelling through the villages of Skellingthorpe and Doddington.
126. Notwithstanding the concerns raised by local residents, North Kesteven District Council, Councillors and Parish Councils, Lincolnshire County Council Highways has not raised any objections to the proposed development in relation to impacts on highway capacity or safety. No concerns are raised in relation to the approach, or figures, used within the Transport Statement and further information, or the capacity of the local road network to accommodate the level of vehicle movements proposed. Further discussions have taken place between the case officer and the Highways Officer regarding this matter, particularly following the submission of further information in April 2019, however, the advice has not changed and there are no highways objections to the proposals either in terms of impacts on the road network or highway safety.
127. The Highways Officer has recommended that if planning permission is granted, it is subject to conditions requiring the full detailed specification of the proposed access improvement works to be submitted and approved, following discussions with the Highways Department, and that these access improvement works shall be implemented prior to the site first being brought into use.

128. The Highways Officer has not specifically requested a routeing agreement in relation to this application, however, it was clear within the documents submitted that the applicant was willing to enter into such an agreement, to replicate the current informal position of no HGVs travelling through the village of Skellingthorpe. In order to protect the amenities of the residents of Skellingthorpe, and to maintain the current situation in relation to HGV travelling patterns, it is considered justifiable and necessary to require that the applicant enters a s.106 legal agreement to secure a routeing agreement preventing HGVs travelling through the village of Skellingthorpe, if planning permission is resolved to be granted.
129. As stated above, many representations have been received requesting that such a routeing agreement is applied to a wider area, including the village of Doddington. Further information was requested from the applicant in relation to this specific matter and the applicant responded querying the justification for this and that this is an established route used by the existing ABP plant, providing a key link to the A57 / A156. As discussed below Doddington is a village with a Conservation Area designation and is host to a variety of listed buildings, including the Grade I Doddington Hall and its Grade II* Registered Park and Gardens. The main road through the village travels through the Conservation Area and past Doddington Hall. However, this is a "B" class public highway which is currently unrestricted in terms of the types of vehicle which can use the road. To require the HGVs to not use the B1190 through Doddington to access the A57 / A156 would result in approximately doubling the travel distance between the application site and those roads to travel west and north west from the site. It is not considered that the impacts of the continued use of the B1190 road would amount to substantial harm to the heritage assets in Doddington and that there is not sufficient justification to require a routeing agreement in this regard, particularly given that HGVs can currently use this route.
130. In light of comments raised by consultees and local residents during the initial consultation stage of the processing of this application, the applicant has stated that it is considering alternative access arrangements. However, no alternatives are included within the application as it currently stands, and it is likely that any alternative arrangements would be required to be dealt with under a separate planning application, as they would be beyond the red line site boundary. Given that no objections have been raised by Highways to the location of the access, it is not necessary for alternative access arrangements to be fully investigated, particularly as it is unlikely they would fall within the application site and therefore would not form part of this planning application. The request from North Kesteven District Council in relation to this matter is noted, however, it is not possible, or appropriate, to consider alternative access arrangements as part of the determination of this application, and the application must be determined on the basis of the current proposals, retaining but upgrading, the existing access to the site.
131. The City of Lincoln Council Leader, Councillor Metcalfe made representations regarding the potential impact of the proposed development on Sustrans Cycle Route 64, which runs to the north of the application site. There would be no physical impacts of the development on the route of the

cycleway. The potential for visual impacts on this cycle route are discussed below.

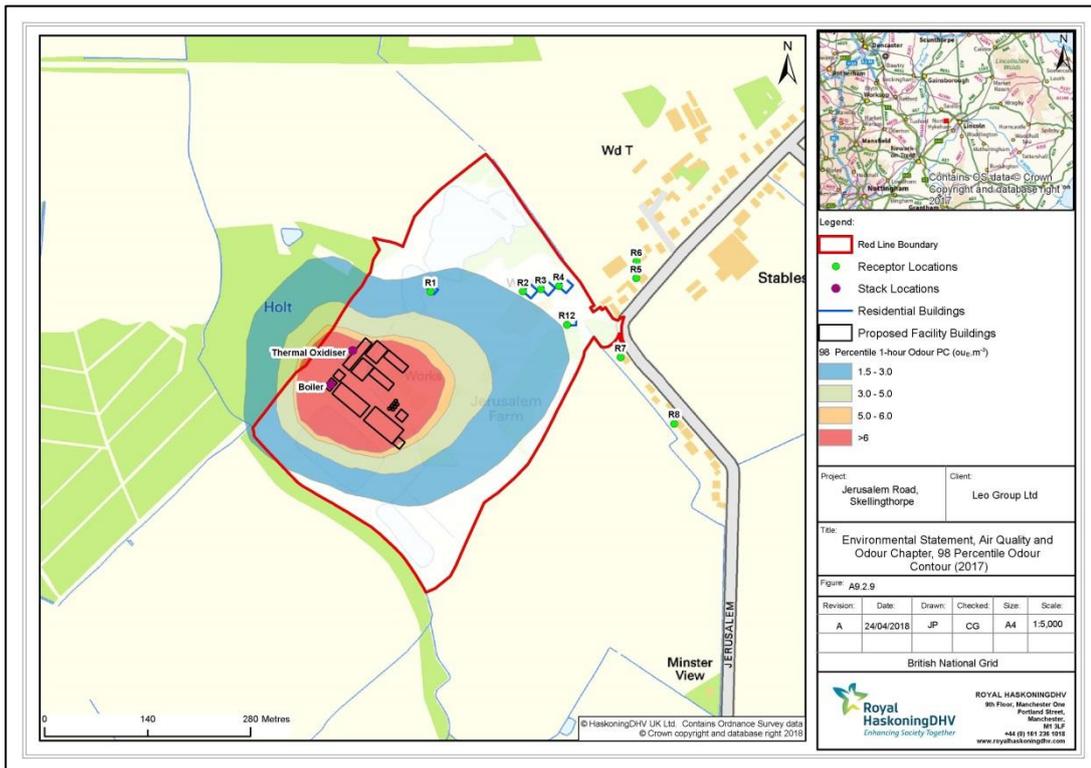
132. Overall, it is concluded that the proposed development, subject to the above conditions and s.106 legal agreement, would not have adverse impacts in relation to the capacity of the road network or highway safety and is therefore in accordance with the NPPF, CSDMP policy DM14 and CLLP policy LP13 in this respect.

Odour and Air Quality

133. The NPPF, CSDMP policy DM3, CLLP Policies LP5 and LP26 require that all new development is of a high standard and that the amenities of existing and future land users must not be adversely affected. Odour and air quality are key issues in relation to the proposed development. The applicant has provided information in relation to odour and air quality within the ES and Regulation 25 further information, as set out above. No changes were made to the odour modelling methodology at the Regulation 25 stage.
134. A significant proportion of the objections received from local residents to the proposed development relate to odour and air quality. Many representations refer to existing and historic difficulties with odour from the existing plant, stating such issues as the need to keep windows closed and impacts on the enjoyment of gardens and the outdoors. Reference is made to the smell from the lorries and from spillages on the roads. A number of representations use emotive language to describe the smells. Reference is also made to improvements having taken place in recent years in relation to odour and in support of the application, a representation was made stating that the proposals would vastly improve local amenity. Queries have been raised regarding the health and well-being implications of the proposals, including long-term impacts.
135. Turning first to the issue of odour. In July 2018, the Institute of Air Quality Management (IAQM) published a document entitled "Guidance on the assessment of odour for planning". This document provides guidance regarding the assessment of odour. It states that the field of odour impact assessment is a developing one and that odour assessment approaches "*require some degree of professional judgement from a competent and suitably experienced air quality professional in order to reach a conclusion on the overall significance of odour impact*". This is echoed in the advice of North Kesteven District Council's Odour and Air Quality Consultant. The IAQM document goes on to explain the subjective nature of odour and how adverse effects of odour are concerned with the negative appraisal by a human receptor of the odour exposure, stating that this appraisal can occur over a matter of seconds or minutes, and involves many complex psychological and socio-economic factors. It states that "*loss of amenity ... does not equate directly to nuisance (in its general meaning) and significant loss of amenity will often occur at directly lower levels of odour exposure than would constitute a statutory nuisance*". In terms of EIA assessments, it advises that where the overall effect is greater than "slight adverse", the effect is likely to be considered significant.

136. The Environment Agency guidance “How to comply with your permit – H4 Odour Management” (2011) (H4 guidance) sets out odour detection thresholds and benchmark levels. This is a recognised and accepted approach to the assessment of odour impacts. It states that 1 OUE/m³ (that is one odour unit) is the point of odour detection. It also states that a rapidly fluctuating odour is often more noticeable than a steady background odour at a low concentration. The H4 guidance sets out the benchmark levels, based on the 98th percentile of hourly average concentrations of odour modelled over a year at a site / installation boundary, as follows:
- 1.5 odour units for most offensive odours, for example:
 - processes involving decaying animal or fish remains;
 - processes involving septic effluent or sludge;
 - biological landfill odours
 - 3 odour units for moderately offensive odours, for example:
 - intensive livestock rearing;
 - sugar beet processing;
 - fat frying (food processing);
 - well aerated green waste composting
 - 6 odour units for less offensive odours, for example:
 - brewery;
 - coffee roasting;
 - confectionary;
 - bakery.
137. Any odours above these benchmark levels indicate the likelihood of unacceptable odour pollution. The H4 guidance also states that where a result is close to the benchmark level, it suggests measures are likely to be required to minimise odours. The H4 guidance also acknowledges that short or infrequent episodes of very high odours that are averaged out by the modelling, would need to be considered separately.
138. As stated above, the applicant has undertaken the odour assessment on the basis of the material being processed at the site falling within the “moderately offensive” category for benchmarking, defined by the H4 guidance. This approach is disagreed with. North Kesteven District Council’s Odour and Air Quality Consultant advises that the “most offensive” category should be used and a precautionary approach applied. The proposed ABP plant would accept Category 1, 2 and 3 animal by-products, some of which may include decaying animal or fish remains, which are stated to be in the “most offensive” category, in the H4 guidance. Additionally, as stated by the Odour and Air Quality Consultant, DEFRA’s guidance note “Sector Guidance Note IPPC SG8: Secretary of State’s Guidance for the A2 Rendering Sector” (2008) refers to odours arising from animal rendering as being “*particularly offensive*”. It is therefore concluded that the approach taken in the application is incorrect and insufficiently precautionary.

139. The applicant seeks to use its plant in Penrith, Lancashire, as a surrogate for odour modelling, stating that the material to be processed at the proposed Skellingthorpe plant would be of a similar nature. However, this is not necessarily the case, as the Penrith plant only accepts and processes Category 3 material, the least hazardous. The Odour and Air Quality Consultant advises that the level of odour could be influenced by several factors, including (but not limited to), the age of the material, the physical conditions during storage and transportation, and the proportion of liquid to solid material (as a general rule, the greater the proportion of liquid content, the greater the potential for odour).
140. Whilst it cannot categorically be stated that Category 1 and 2 raw materials would be more odorous than Category 3 raw material, it is certainly possible that they would be, given the nature of the material involved (please see the descriptions of the categories of raw material above) and the potential for longer storage and transportation distances. There are fewer ABP plants in Great Britain which accept Category 1 and 2 material than there are those accepting Category 3 material and therefore the likelihood of further travelling distances for the raw material, increases. The application must be determined on a precautionary approach, because if planning permission is granted for all three categories of raw material, as is applied for, it would not be reasonable to limit the type of raw material to be processed, to avoid the more odorous material. A worse-case scenario therefore has to be adopted. This also means that the use of the Penrith plant as a surrogate for odour assessment cannot be concluded to be acceptable, and the odour assessment must be based on the H4 guidance's "most offensive" category of odour and a precautionary approach adopted.
141. The use of the Penrith plant as a surrogate in relation to the assessment of odour emission rates for the biofilters (part of the odour mitigation strategy) is also stated by the Odour and Air Quality Consultant to be questionable, as it is unclear what assumptions have been made in the assessment, and there is the possibility that data from the Penrith plant under-estimates odour emissions.
142. Figure A9.2.9 of the Air Quality and Odour Chapter of the ES plots the 98th percentile odour contour on a site plan. The odour emission rates used in the assessment represent the odour concentrations after all of the proposed mitigation measures have been put in place.



98th Percentile Odour Contour Plan

143. This clearly shows that the 1.5 – 3 odour unit contour sits in very close proximity to the proposed new dwellings, with the contour overlapping part of the proposed garden for the manager’s house and along the boundary of one of the affordable houses. The Odour and Air Quality Consultant advises that in practical terms, at these concentrations odour would be experienced at these sensitive receptor locations and would be only marginally below the threshold above which an average person would consider the smell to present a significant adverse impact. The threshold levels are not the point at which odour is detected, but are the point at which odour pollution is likely to be unacceptable. The IAQM guidance advises, in relation to EIA development, where the overall effect is greater than “slight adverse”, the effect is likely to be considered significant.
144. Given the location of the proposed new housing, in particular the manager’s house and one of the affordable houses, right on the boundary of the threshold of the most offensive odours being at an unacceptable level, it cannot be concluded that there would not be a significant impact on the amenities of the residents of those properties.
145. The need for a precautionary approach is further supported, as stated by the Odour and Air Quality Consultant, because the odour modelling has not taken into consideration the contribution to odour concentrations at these sensitive receptors arising from short-duration but frequent passage of raw material transport vehicles along the access road, directly in front of these properties. The applicant has not provided any evidence to the contrary and it must therefore be concluded that the potential exists for raw material

vehicles to need to queue on the access road (even for short periods of time), contributing to further emissions, which have not been included within the odour modelling.

146. The applicant states that the vehicles used to deliver raw materials to the site would be the “latest generation of trailers from the Leo Group fleet”, however, full details of the design and features of these vehicles have not been provided. It is fully acknowledged that delivery vehicles cannot be completely sealed and airtight when transporting raw material because the raw material releases gases which would pressurise a sealed container, leading to health and safety issues. However, this means that the vehicles are a potential source of odour. There can also be no guarantee that the delivery vehicles would always be from the Leo Group fleet and it would not be reasonable nor enforceable to impose a condition requiring this to be the case if planning permission was granted.
147. All delivery vehicles carrying raw materials are proposed to be initially directed to airlocks within the processing buildings for the deposit of the material, after being logged in at the weighbridge station. Mechanisms are proposed to ensure that no material is deposited until the airlock is sealed and that the vehicles would be thoroughly cleaned prior to exiting the airlock. It is also stated that when the airlocks are not in use, all doors would remain closed as part of the managed airflow regime. However, no information is provided regarding the length of time this process takes and the impacts this may have on vehicles arriving during busy periods of time. There is also the potential for vehicles to be required to queue on the access road, closer to the dwellings than the proposed plant, in order to be logged in at the weighbridge station. There is therefore potential for, albeit short-duration, but frequent exposures to odour from the delivery vehicles at the proposed dwellings at levels which would exceed the threshold contours set out in the odour modelling.
148. Other potential sources of odour are identified within the submitted information, for example, in relation to drainage and the bulk storage of finished product, however, it is considered that the mitigation measures proposed, together with suitably worded planning conditions, for example, ensuring material is only stored in sealed containers and no finished product is stored externally, could ensure that odour from these sources was not problematic and was at an acceptable level at the sensitive receptors.
149. In relation to a failure at the facility, a back-up odour abatement system is proposed, described as an air cooled condenser, and the applicant has stated that raw material could be diverted to one of its other processing plants if necessary. Full details of the back-up odour abatement system are required, including details of the maximum period for which operations may be allowed to continue only using the back-up measures. Measures to enforce this would be set out in an Odour Management Plan (one has not been submitted with this application) and could be controlled through the imposition of a planning condition requiring the submission, approval and implementation of full details of this back-up system, with stipulations for the

length of time it could be used for, otherwise requiring a temporary shut-down of the plant.

150. The application makes provision for the concurrent operation of the existing facility and the proposed facility, prior to the removal of the existing facility on the site. This would be during the commissioning stage of the new facility. No specific timeframe is provided for this period, which has the potential for cumulative impacts, although the further information submitted by the applicant refers to this only being a matter of weeks. The Odour and Air Quality Consultant advises that on the basis of the period only being a matter of weeks, there are unlikely to be significant cumulative impacts, with any impacts being reduced to a manageable level, providing measures are put in place between the operators of the two facilities. Details of this could be controlled through a suitably worded condition if planning permission was granted.
151. The information regarding impacts of odour beyond the site boundaries show that there would not be adverse impacts on the existing residential properties as sensitive receptors beyond the site boundary. Notwithstanding the concerns raised above regarding the approach taken within the application documents to odour, no objections or concerns are raised by the Odour and Air Quality Consultant or the Environmental Health Officer, with respect to existing sensitive receptors beyond the site boundary. It is therefore concluded that impacts in relation to the existing residential properties would be acceptable in this regard.
152. It is noted that the ES shows that odour levels along the existing PRoW (Bridleway 2), which runs along the north west boundary of the site, far exceed the 1.5 odour unit levels, and in places are over the 6 odour unit levels. There would clearly therefore be considerable adverse impacts on the users of that bridleway along part of its boundary with the application site. However, given the transient nature of the users of PRoW, the length of the PRoW which would experience adverse impacts only being approximately 260 metres, and the existing use of the site, it is not considered that it would be reasonable to refuse planning permission on the grounds of adverse impacts on this PRoW.
153. The Leader of the City of Lincoln Council raised concerns regarding potential impacts on the users of Sustrans Cycle Route 64 which lies to the north of the site. There would be no significant adverse odour impacts on users of this cyclepath.
154. Overall, it is therefore concluded that the ES and further information do not assess odour appropriately, taking a precautionary approach given the proximity and proposed introduction of sensitive receptors to the site. The odour assessment does not apply the "most offensive" category (as established in the Environment Agency H4 guidance) and this is considered to be the most appropriate approach. The use of the applicant's plant at Penrith as a surrogate in the odour assessment cannot be concluded to be acceptable or appropriate, given the differences in the material proposed to be proposed at the application site in comparison to that processed at the

Penrith plant, and the potential for the raw material to generate greater odours at the application site.

155. The odour assessment does not appropriately take into account the passage and potential queueing of HGV carrying raw material along the access road, particularly in relation to the proposed new dwellings.
156. Insufficient evidence is provided in relation to the use of the Penrith plant as a surrogate for the assessment emission rates of the proposed biofilters and therefore it cannot be concluded that there would be no adverse impacts as a result of this source of potential odour.
157. The proposed manager's house and one of the proposed affordable houses sit so close to the boundary of where odours would be experienced at levels which would have significant adverse impacts, that it is imperative a precautionary approach is taken to ensure the amenities of the future residents of these properties are appropriately protected. The odour assessment fails to do this.
158. As such, the development is contrary to policy DM3 of the CSDMP and policies LP5 and LP26 of the CLLP.
159. Turning then to air quality, the ES contains information regarding impacts on air quality and the Regulation 25 further information provides further explanation of the approach taken. Assessments were undertaken in relation to nitrogen oxide (NO₂), sulphur dioxide (SO₂), carbon monoxide (CO) and particulate matter PM_{2.5} and PM₁₀.
160. In relation to human receptors within 350 metres of the site boundary, the ES concludes that concentration levels of NO₂, SO₂, CO and particulate matter would be "well below" air quality objectives and that the impacts would therefore be not significant.
161. The key area of concern regarding the information submitted related to potential impacts on the Doddington Clay Woods SSSI, which lies approximately 940 metres to the west of the site. Specific advice was sought and received from Natural England regarding the potential for adverse impacts on the SSSI, with respect to acid deposition. Natural England advised that on the basis of the submitted report, the proposed development alone would fall within the Environment Agency's threshold for insignificance in terms of impacts on the SSSI. The Odour and Air Quality Consultant confirmed that there were no objections to the process of assessment of air quality in relation to the SSSI. Natural England did, however, state that no cumulative impacts had been assessed and advised that consideration should be given to in-combination impacts of other acidifying emissions with a 5km radius. The applicant has responded to this request for further information and stated that there are no other acidifying sources of emissions within a 5km radius (other than those already included as part of the reported Predicted Environmental Concentration included within the background levels used) which would alter the conclusions of the

ES. Natural England has not raised any further concerns regarding this and has stated it is satisfactory.

162. No specific objections have been received in relation to potential impacts on the adjacent Ash Lound and Brick Kiln Holt LWS, however, both Lincolnshire Wildlife Trust and the County Council's Trees Officer have recommended that if planning permission is granted it should be subject to a condition requiring a tree belt, of at least 10 metre thickness, to be planted along the western site boundary adjacent to the LWS in order to mitigate potential effects of airborne pollution on the LWS. It is noted that the currently proposed landscaping plan does not include provision for this type of tree belt, however, if planning permission is granted, it is considered necessary to secure such a tree belt through the imposition of a planning condition requiring full details of a landscaping scheme to be submitted, approved and implemented, including provision for a 10 metre tree belt along the western site boundary, notwithstanding the current details.
163. The ES recommends that a Dust Management Plan should be developed to ensure that adverse impacts of dust during the construction and demolition phase of the development are appropriately addressed and mitigated. If planning permission was granted, this could be dealt with through an appropriately worded condition.
164. It is therefore concluded that the proposed development would not have significant adverse impacts in relation to air quality and is acceptable in this regard, subject to the aforementioned conditions being imposed if planning permission is granted.

Noise

165. The NPPF, CSDMP policy DM3, CLLP Policies LP5 and LP26 require that all new development is of a high standard and that the amenities of existing and future land users must not be adversely affected. These policies are of relevance in relation to the issue of noise.
166. Objections have been received in relation to the impacts of noise, both in relation to the proposed development and regarding problems associated with noise at the existing site, including noise at night and concerns that this would worsen under the current proposals. At the EIA Scoping Opinion stage, the County Council's Public Rights of Way Officer requested that consideration be given to the impacts of the development on the users of the surrounding PRow, including equestrian users of Skellingthorpe Public Bridleway 2, which lies adjacent to the western boundary of the site.
167. The ES states that environmental noise surveys were carried out at locations considered to be representative of the nearest existing residential receptor and at a location representative of the proposed new dwellings. Measurement periods were over approximately two, 48 hour periods to establish the baseline noise levels.

168. The Environmental Health Officer responded in relation to the ES stating that it fails to adopt an appropriate background noise level, not all potential sources of noise are considered and that it fails to justify that the proposals would reduce noise impacts in comparison to the current operations. Further information was requested in the Regulation 25 request, specifically requiring a full noise assessment to be undertaken in accordance with BS:4142 standards.
169. In response to this request, further information in relation to noise has been submitted. This included a more comprehensive assessment of potential sources of noise.
170. No further background noise assessments have been undertaken, to comply with the standards set out in BS4142:2014. The further information introduces a discrepancy between the information it contains and that contained within the ES in relation to the dates on which baseline noise levels were measured, with the further information stating a longer period, which also included a Sunday, than that set out in the ES. This is not due to further measurements having been undertaken as it relates to measurements undertaken in April 2017.
171. The ES and further information conclude that there would be no adverse impacts during the operational phase of the proposed development. Some low adverse impacts are identified during the time period when both the existing and proposed ABP plant would be operational but all of these impacts are stated to be below an additional 3dB.
172. The further information considers potential impacts of noise from HGV movements, however, the approach to daytime and night time impacts is inconsistent, with a penalty being applied for the intermittency of such noise source during the daytime, but not at night. North Kesteven District Council's Environmental Health Officer has advised that the same noise penalty should have been applied to night time noise levels and the applicant has failed to provide evidence as to why this has not been carried out.
173. Another concern between the assessment of daytime and night time noise exists in the further information in relation to the assessment of the concurrent running of the existing and proposed plants. Whilst predicted noise levels are stated for the daytime, no levels are given for night time impacts. It is not clear whether this is due to no concurrent operations being proposed at night or whether this is an omission.
174. There is no specific planning guidance regarding the impacts of noise in relation to bridleways and the former Minerals Planning Guidance 11 (MPG 11) stated that footpaths and bridleways should not normally be regarded as noise-sensitive. On the advice of the County Council's Public Rights of Way Officer, the British Horse Society has been consulted on the further information provided. At the time of writing this report, no response had been received. The British Horse Society has published a guidance note entitled "The Impact of Noise on Horses" (2018) which provides advice and

states horses can become difficult to handle where there is a continuous level of noise because it may mask other sounds that could be a threat and that sudden noises are likely to trigger an abrupt reaction from a horse which could be dangerous to a rider.

175. The further information provided recognises that sporadic and impulsive noises are more likely to cause disturbance to users of the bridleway and states that prediction of such noises is not possible. It states that these types of noise are expected to be similar to those which have been associated with the existing operation at the site for many years. It also states that a Noise Management Plan would be expected to be required as part of the Environmental Permit required to operate the site and this would cover ad hoc, noisy activities at the site.
176. The proposed main built up area of the ABP plant would sit much closer to the boundary with the bridleway than the existing plant, and therefore it is considered that the potential for impacts from noise, particularly sudden, sporadic noises, is greater than currently exists. However, it is also acknowledged that the site currently operates as an ABP plant and this type of noise is already likely to occur. In order to mitigate the impacts of the current proposals, given that the potential sources of noise are closer to the bridleway than is currently the case, it is recommended that if planning permission is granted is it subject to a Grampian style condition requiring the erection of signage on the bridleway, beyond the site limits, warning equestrian users of the bridleway of the nature of the operations taking place. This would ensure that advance notice is provided of potential noise impacts.
177. Overall, the ES and further information fail to appropriately assess noise arising from the proposed development in accordance with section 8 of BS:4142, as the correct approach to the background noise assessment has not been complied with. In addition to this, night time noise levels in relation to HGV movements have failed to apply the 3dB noise penalty applied to the daytime assessment; and the night time noise levels of the concurrent running of the existing and proposed plants have not been assessed at all. The proposed development is therefore contrary to policies DM3 and LP26 in relation to noise.

Lighting

178. The NPPF, CSDMP policy DM3 and CLLP policies LP5 and LP26 require that all new development is of a high standard of design and that the amenities of existing and future land users must not be adversely affected. In addition, these policies and policy DM6 of the CSDMP and policy LP17 of the CLLP require consideration of impacts on the landscape, with specific reference to the intrinsic value of the landscape. External lighting has the potential to have impacts in relation to amenity and on the wider landscape.
179. The proposed development requires external lighting. The ES states that external lighting is required during the construction phase to the following:

- access / road;
 - for the safe movement of staff / operatives / visitors around the site;
 - specific construction tasks; and
 - site security.
180. During the operational phase of the development, external lighting is stated to be required for the following:
- access / road;
 - security lighting;
 - HGV parking;
 - weighbridge; and
 - trailer parking.
181. However, no details of the proposed scheme have been submitted. Further information regarding the proposed lighting scheme was requested at Regulation 25 stage but the applicant responded to state that it was considered the details could be secured through an appropriately worded condition if planning permission was granted.
182. Queries were also raised during the Regulation 25 request for further information regarding the appropriateness of the lighting assessment which was undertaken and informed the ES, as the conditions in which the site visit assessment was carried out are described as overcast and foggy with limited visibility. The applicant responded to state that the lighting impact assessment was undertaken to the guidelines published by the Institute of Lighting Professionals and that the weather conditions experienced did not negatively impact on the findings of the report.
183. The built area of the proposed development would be located closer to the north west site boundary, adjacent to the Ash Lound and Brick Kiln Holt Local Wildlife Site. This boundary of the site has been identified within the ecological surveys as being an area with higher levels of bat activity than other areas of the site. It is noted that neither Natural England nor Lincolnshire Wildlife Trust has raised any objections to the proposals in relation to bats, however, external lighting can have significant impacts on bats. It is therefore imperative that the impacts of any lighting scheme are reduced to such an extent as to not have adverse impacts on the bat population.
184. The lighting assessment considered the impacts during both the construction and operational phases of the development in relation to sky glow and light intrusion and concluded that with appropriate mitigation measures put in place, there would not be significant impacts on the surrounding area. The further information provided in response to the Regulation 25 request, states that modern lighting schemes are low level and low intensity, designed to minimise spillage.
185. Notwithstanding the lack of details relating to the proposed external lighting scheme, the Environmental Health Officer has not raised any objections to the proposals and recommends that if planning permission is granted, it is

subject to an appropriately worded condition requiring the submission and approval of an external lighting scheme which satisfies the Institute of Lighting Engineers “Guidance Notes for the Reduction of Obtrusive Light” (2011) relating to overall lux levels, specifically the Environmental Zone E2 “low district brightness” criteria.

186. In addition to the advice from the Environmental Health Officer, if planning permission is granted subject to a condition requiring the submission and approval of an external lighting scheme, it is recommended that such scheme should also be in accordance with the Institute of Lighting Engineers Guidance Note “Bats and artificial lighting in the UK” (2018).

Landscape and Visual Impact

187. The NPPF, CSDMP policy DM6 and CLLP policy LP17 seek to protect and enhance landscape character, recognising the intrinsic character and beauty of the countryside and features and views which contribute positively to the area. The application site lies within the landscape sub-area “Terrace Sandlands” as defined in the North Kesteven Landscape Character Assessment (2007) (LCA). The LCA states that woodland is a dominant feature of this landscape and plays a key role in defining landscape character. Woodland blocks are stated to prevent any wide open views. The estate village of Doddington is stated to be the most distinctive village within the sub-area, centred around Doddington Hall and its extensive parkland, and dominate the northern section of the sub-area. It is stated that there are glimpses of Lincoln Cathedral from within this part of the sub-area.
188. The application site itself does not sit within an open landscape and there is a great deal of mature trees and vegetation both within and surrounding the site. The north western boundary is adjacent to Ash Lound Wood and Brick Kiln Holt LWS and there is intervening vegetation between the site and the village of Doddington to the south west. The site is well screened from the village of Skellingthorpe by both built development and vegetation. The location of the entrance to the site, on a 90 degree bend, only allows limited views into the site.
189. A Landscape and Visual Impact Assessment (LVIA) was submitted as part of the ES (including an update received in July 2018) and following the Regulation 25 request for further information, a landscaping scheme together with a Habitat and Landscape Management and Maintenance Plan has been submitted. The LVIA assessed a total of 20 viewpoint locations and 6 site context locations within a 2km radius of the site. These included locations at the neighbouring PRow, the Sustrans Cycle Route 64 (to the north of the site), the outskirts of Skellingthorpe and within Doddington village. The LVIA also took into account impacts on the heritage landscape and these are considered below in relation to the historic environment.
190. Visual receptors were identified as being local residents, users of the PRow network, users of the cycle route, road users and visitors to the historic

assets in Doddington. The visual receptors were assessed as having a high or medium sensitivity.

191. The LVIA states that overall there is likely to be minor adverse impacts of the proposed development on landscape character and visual receptors at construction and decommissioning phases but that impacts during the operational phase are likely to be minor beneficial in relation to landscape character and between minor and moderate beneficial effects in relation to visual receptors. These impacts take into consideration a landscaping scheme which was proposed as part of the ES and included as embedded mitigation.
192. The Regulation 25 information provided an updated landscaping scheme in response to the request for further information. This responded to concerns raised regarding views from the Sustrans Cycle Route 64 and increased the tree planting proposed within the site, immediately south of viewpoint 3.
193. As is set out above in relation to air quality, it is recommended that if planning permission is granted, it is subject to a condition requiring the planting of a 10 metre tree belt along the north west boundary of the site, adjacent to the LWS, and this will further assist in the mitigation of visual and landscape impacts of the proposed development, particularly given that the built element of the proposals would be closer to this boundary than is currently the case. In order to ensure that the tree belt is appropriately included within the landscaping scheme, and notwithstanding the submitted details, it is recommended that a condition is used to require the submission of a full landscaping scheme, including a Habitat and Landscape Management and Maintenance Plan. Providing these measures are put in place, it is concluded that the proposed development would be acceptable in relation to landscape and visual impacts and therefore in accordance with policy DM6 and LP17 in this regard.

Natural Environment

194. The NPPF, CSDMP policies DM8 and DM9 and CLLP policy LP21 seek to protect, manage and enhance the natural environment, with specific protection afforded to nationally designated SSSIs, ancient woodland and locally designated nature conservation sites.
195. As stated above, there are four statutory designated sites and 58 non-statutory designated sites within 5km of the application site boundary. Of these, the Doddington Clay Woods SSSI and Ash Lound and Brick Kiln Holt Local Wildlife Site (LWS) are key considerations in the determination of this application. Doddington Clay Woods SSSI lies approximately 940 metres to the west of the application site and is designated as two ancient semi-natural woodlands (Old Hag and Little Sale Woods). Ash Lound and Brick Kiln Holt LWS lies adjacent to the north west boundary of the application site and is ancient woodland.
196. The primary issue to be considered in relation to these designated nature conservation sites is the impact of the proposed development in relation to

air quality. This matter is dealt with in detail above (so not repeated here) and it is concluded that, subject to the imposition of a condition requiring the planting of a 10 metre tree belt along the north west site boundary, the proposals would not result in adverse impacts on either the Doddington Clay Woods SSSI or the Ash Lound and Brick Kiln Holt LWS.

197. The original ES highlighted the need for additional botanical and protected species surveys to be undertaken, which were not included within the ES. The results of these surveys have subsequently been submitted in response to the Regulation 25 request for further information. The botanical survey found that the site does not support any especially rich assemblages of plants or especially rare species. Whilst it is acknowledged that the proposed development would result in the loss of habitats, the creation of new habitats is proposed.
198. In relation to protected species, bats, slow worm and grass snake were found to be present on the site. The further information states that there is a likely absence of roosting bats on the site, however, bats commute and forage across the site, with activity being more concentrated at the site boundaries, particularly the north west boundary, which is adjacent to the aforementioned LWS. The main bulk of the proposed ABP plant development is proposed to be located closer to the north west boundary than the existing plant and therefore the potential for impacts on bats needs to be given careful consideration. The proposals currently include a 50 metre grassland buffer between the built development and the site boundary in this location, and it is also recommended that if planning permission is granted, a 10 metre tree belt is planted along this boundary. The application proposes external lighting, although details have not been submitted. As is set out above in relation to lighting, the impacts of the lighting scheme on bats needs to ensure that light spill is minimised and that any scheme is designed taking the presence of bats into account. Details of the recommended condition regarding the external lighting scheme are set out above in relation to the lighting section of this report. It is noted that Natural England and Lincolnshire Wildlife Trust have not objected to the application in relation to potential impacts on bats.
199. A landscaping and habitat creation scheme is proposed to be implemented across the application site, and the further information states that this will be the main form of mitigation to reduce the impact of the development on the commuting and foraging bats. A Habitat and Landscape Management and Maintenance Plan has been submitted with the further information, setting out details of this. However, in order to incorporate the recommended tree belt along the north west boundary of the site, it is not recommended that this is approved if planning permission was granted, and that further details are required to be submitted, approved and implemented to ensure that an appropriate package of landscaping and habitat creation is achieved on the site.
200. The north and north west area of the site was also found to be the most important area in relation to slow worm and grass snakes. In order to protect these species, it is proposed to translocate them within the site. The

further information states that an on-site ecological receptor area is proposed, and an indicative location for this is shown on the application proposed site plan drawing. The further information sets out a commitment to providing at least as much suitable habitat for reptiles within the ecological receptor area, and of an appropriate quality, as that which would be lost. However, full details of the translocation process and the creation of suitable compensatory habitat have not been submitted. These measures would need to take place prior to the commencement of development and given the length of time taken for the newly created habitats to become established, there would inevitably be a degree of adverse impacts on the local reptile population. In order to ensure that any such adverse impacts are minimised and to optimise future opportunities for reptiles at the site, if planning permission is granted, it is recommended that it is subject to a condition requiring full details of the translocation process, timeframes and the creation of suitable compensatory habitat as part of the requirement for a revised Habitat and Landscape Management and Maintenance Plan to be submitted, approved and implemented.

201. Following the Regulation 25 request for further information, an Arboricultural Impact Assessment has been submitted. As stated above, most of the existing trees on the site are proposed to be retained, however, three groups of low value trees are proposed to be removed from the application site and the report recommends that further two groups are removed, as they are very low quality. The further information includes a Tree Protection Plan.
202. A representation of objection has been received questioning why these trees should be removed given that in the determination of a previous planning application on the site for a dwelling, North Kesteven District Council concluded that the trees should not be removed. It is presumed that the representation refers to application reference 17/0870/OUT for one dwelling at the site. This application proposed a single dwelling immediately to the south of the existing access to the site. This proposed development included the removal of the trees from the frontage of the site, within that site boundary. One of the reasons for refusing planning permission for that proposal was the impact of the loss of these trees on visual amenity, including their partial screening of the adjacent rendering plant, and the lack of appropriate mitigation measures. The District Council stated that the removal of the trees failed to comply with policies LP1, LP17 and LP26 of the CLLP.
203. The current application is clearly very different to that previous application and notably, the location of the proposed dwellings in the current application are set back further within the site than the 17/0870/OUT proposal, with the manager's dwelling proposed to be located on the opposite (west) side of the PRow which runs through the site. Whilst the current proposals include for the removal of some of the trees at the site entrance, to facilitate the upgrading of the access, there would be fewer trees lost at the site frontage than those proposed to be removed as part of application reference 17/0870/OUT. In addition, the proposed ABP plant would be set back further within the site than the current plant, and therefore not be so visible from the frontage, and a package of tree planting is proposed across the

application site, which it is considered can more than compensate for the loss of the trees at the frontage (and elsewhere within the site). There are therefore clear differences between the two applications which justify the loss of the trees in this particular case.

204. Overall, subject to a condition securing the measures set out above in relation to an additional tree belt, full details of the proposed translocation of reptiles, full details of the proposed creation of an ecological receptor area and full details of a Habitat and Landscape Management and Maintenance Plan, it is concluded that the proposed development would be acceptable in relation to the natural environment and would not conflict with national or local policies in that regard.

Historic Environment

205. The NPPF, CSDMP policy DM4 and CLLP policy LP25 seeks to conserve and enhance the historic environment, having regard to the significance of any heritage assets and their setting.
206. There are no designated heritage assets with the application site boundary. Within 2km of the site are 23 listed buildings, ten of which are Grade II listed buildings in Skellingthorpe and 13 of which are all grades of listed buildings, located in Doddington, including the Grade I Doddington Hall and Grade I Church of St Peter. Also within Doddington are the Grade II* Registered Park and Garden at Doddington Hall and Doddington Conservation Area. There are 42 non-designated heritage assets within 2km of the site, of which four are located within 500 metres of the site. Jerusalem Farm, located adjacent to the existing site access is a non-designated heritage asset, as is Ash Lound Wood, which is located adjacent to the western corner of the site.
207. The proposed development would not have any direct impacts on the designated and non-designated heritage assets (subject to the recommended conditions regarding the mitigating measures for Ash Lound Wood regarding air pollution). It is therefore necessary to focus on the potential for impacts on the settings of these assets. In order to do this, the viewpoints and assessments undertaken as part of the LVIA have been used.
208. The ES states that there are no designated heritage assets within Skellingthorpe with a setting which would be impacted by the proposed development. All of these designated assets are located to the north and east of the village and are screened by urban development and tree cover. The only non-designated heritage asset in Skellingthorpe which is considered to have the potential to be impacted upon is Jerusalem Farm, adjacent to the site access. However, this is a working farm with a range of traditional and modern buildings and the setting is already stated to be dominated by the existing plant at the site. The ES states that the setting of the farm is not considered to form a primary part of its significance as a heritage asset, as this has already been significantly altered by the existing industrial and residential development in the vicinity. It is therefore

concluded in the ES that any potential impacts on the setting of Jerusalem Farm by the proposed development would be minor. Given the existing use of the site, this conclusion is not disagreed with.

209. As stated above, Ash Lound Wood is an area of ancient woodland immediately to the west of the site. The ES states that the setting of Ash Lound Wood may be considered to form a fundamental part of its significance as a heritage asset, however, this was found to be heavily influenced by the existing operations at the application site, albeit that the view from the footpath which runs between the application site and Ash Lound Wood, is sufficiently screened by existing trees and vegetation such that the existing facility is not visible. As stated above, a 10 metre tree belt is recommended along the boundary of the site with Ash Lound Wood and this would mitigate any additional impacts of the proposals on the setting of the wood, in comparison to the existing situation.
210. The ES considers the potential impacts of the development on the setting of the Doddington Conservation Area. It is stated that this is of high heritage significance and the character is centred around Doddington Hall and the properties along Main Street, rather than the external agricultural setting. The ES states that the proposed development would only be visible from one of the assessed viewpoints, located within the Doddington Hall Car Park. It states that “limited long-range, direct yet largely screened views of the taller elements of the ABP plant aspect of the proposed development will be available to visitors of Doddington Hall in this location”.
211. The ES concludes that whilst during the construction and decommissioning phases there would be minor adverse impacts on settings of these three heritage assets, once constructed and with the proposed mitigation, there would be the potential for minor beneficial impacts on the settings of these assets, in comparison to their current setting.
212. The ES also concludes that the potential for archaeology to be present on the site is anticipated to be low and recommends an intermittent watching brief during intrusive ground works, supported by a reporting protocol for any unexpected discoveries to be applied when an archaeologist is not on site.
213. The County Council’s Historic Environment Officer initially raised concerns regarding the potential impacts of the development on the designated and undesignated heritage assets in Doddington, referring to Doddington Hall being one of the finest houses in Lincolnshire. Concerns were specifically raised in relation to the reliance on vegetation screening to obscure the views of the proposed development. Concerns were also raised regarding the likelihood of increased traffic through this sensitive location, and the impacts of this on the experience of heritage assets in Doddington village.
214. As a result of these concerns, further information was sought in the Regulation 25 request and the applicant subsequently submitted additional details. This confirmed that the views of the proposed plant from within Doddington Hall itself would be very limited, with no views available from those parts of the property accessible by the public. Views from Main Street

are stated to be entirely screened by intervening vegetation. It is acknowledged that some limited, long distance views of the tallest elements of the proposals are available from a very limited and specific area of the Doddington Hall Car Park, within the Conservation Area. However, it concludes that given the existing views of chimney stacks on the site, the negligible portion of the view that the proposals will comprise and the fact that visitors will be focussed on Doddington Hall rather than towards the site, there would be no adverse landscape or visual impacts on the setting of Doddington Hall as a result of the proposed development. A Habitat and Landscape Management and Maintenance Plan has been submitted, including provisions to ensure the retention of existing vegetation and new screening planting, to provide an effective landscape screen for the long term.

215. The Historic Environment Officer notes that the further information is not particularly thorough or detailed but confirms that it is sufficient to address the concerns previously raised, such that it can be concluded that the overall impacts on heritage assets would be neutral, particularly in light of the existing use of the site. The Historic Environment Officer recommended that a scheme of archaeological recording secured by a planning condition would be acceptable to deal with archaeology, if planning permission was granted.
216. It is therefore concluded that, subject to the imposition of conditions relating to archaeological recording and the implementation of an appropriate landscape and habitat scheme, the proposed development would not have significant adverse impacts in relation to the historic environment and does not therefore conflict with the development plan in this respect.

Contaminated Land

217. The NPPF, CSDMP policy DM3 and policies LP16 and LP26 of the CLLP seek to ensure that development proposals are acceptable in relation to contamination and the creation of safe environments. The requirement for an assessment of existing ground conditions and any contamination was identified within the EIA Scoping Opinion.
218. The ES contains a chapter entitled Land Quality and a number of appendices have been submitted in relation to this matter. However, it is considered that the information in relation to contaminated land is seriously deficient. The studies provided do not constitute an appropriate Phase I site investigation, they relate to areas of the site which are not proposed to be developed and the Phase I Desk Top Study is based on there being no development at the site, and therefore cannot provide sufficient indication of likely receptors or impacts on them. The information provided states that “intrusive investigation may reveal on-site sources of contamination that were not established by the Phase 1 Desk Study and Site Walkover and thus require modification of the conceptual site model”. There is, therefore, no certainty that the development proposals, in their current site layout, would not need to be amended as a result of the findings of the required survey work.

219. The submitted Regulation 25 further information defends the position taken in the ES and no further details in relation to land contamination are provided. The applicant states that this is a conventional approach and disagrees that the ES is deficient. The applicant suggests that a planning condition should be used to require the survey works are undertaken and that contamination risks are suitably managed or mitigated, prior to the commencement of construction.
220. Whilst it is acknowledged that access to the site may be difficult due to the existing operations taking place, given the nature of the existing and historic operations on the site, it is important to establish the presence, or otherwise, of any contamination and whether this would require the layout of the site to be amended in any way, as this could potentially impact on many of the other assessments undertaken. Of particular concern are impacts in relation to the proposed residential properties.
221. North Kesteven District Council has objected to the proposed development in relation to contaminated land due to the lack of a Phase I preliminary risk assessment of the whole site which takes into account all of the proposed uses at the site; and provides appropriate details of all the potential source-pathway-receptor linkages for contaminants. This is contrary to CLLP policy LP16.
222. It is therefore concluded that the proposed development does not adequately address the issue of land contamination and demonstrate the creation of a safe environment, contrary to policy DM3 of the CSDMP and policies LP16 and LP26 of the CLLP.

Flood Risk and Drainage

223. The NPPF, policies DM15 and DM16 of the CSDMP and policy LP14 of the CLLP seek to encourage development to be located in areas at lowest risk of flooding, ensure that development does not increase flood risk on-site or elsewhere, provide protection to the water environment and encourage the use of sustainable drainage systems (SuDS).
224. The application site lies within flood zone one, the lowest flood risk zone. The Flood Risk Assessment (FRA) states that the proposed development would increase the hardstanding areas in the site, through the construction of buildings and the access, with approximately 30.5% of the total site area proposed to be hardstanding and 69.5% being permeable, soft landscaped areas. The FRA concludes that the risk of flooding from all sources, apart from surface water, is low and that mitigation measures should be put in place to address the risk of surface water flooding, including the finished floor levels of the properties recommended to be set 150mm above surrounding ground levels.
225. It is proposed to only direct clean roof water to land drainage and any contaminated water from the plant areas would be directed to the on-site effluent treatment plant, for use in the ABP process. Whilst the application proposes the use of SuDS, no specific details have been submitted and the

FRA and further information submitted in response to the Regulation 25 request, states that all options, apart from green roofs, will be explored.

226. In order to achieve the necessary discharge rates for the site, the further information submitted in relation to the Regulation 25 request states that attenuation storage will be required.
227. At this stage, a comprehensive water and effluent management plan has not been submitted, but is acknowledged by the applicant to be required. On the basis of the information submitted, and in light of the Environment Agency and Internal Drainage Board not having raised any objections to the proposed development in relation to flood risk and drainage, it is considered that the proposed development would not have adverse flood risk and drainage impacts, providing that if planning permission is granted, it is subject to a condition requiring the submission, approval and implementation of such a comprehensive water and effluent management plan. This plan should include full details of all proposed SuDS and mitigation measures.
228. Representations have been received from local residents stating that when the existing plant draws down water, there is an impact on the pressure of the water in the nearby dwellings. Anglian Water has been consulted on this application and at the time of writing this report, no representations have been received. No information is therefore available to substantiate (or otherwise) the concerns of local residents. Nevertheless, this is a matter which can be resolved, if necessary, through a comprehensive water and effluent management plan, following the determination of this application.
229. Overall, subject to the proposed mitigation regarding surface water and the imposition of a condition requiring a comprehensive water and effluent management plan (including details of the wheel wash facility) to be submitted for approval, the proposed development would not increase flood risk and would protect water resources. It would therefore not conflict with the national and local planning policies in this regard.

Design

230. The NPPF, CSDMP policy DM3 and CLLP policy LP26 require development proposals to be of a high standard of design.
231. The proposed layout of the site is such that the four proposed dwellings would be located towards the site entrance and the proposed ABP plant would be located towards the north west boundary of the site. The proposed area for the ABP plant is not currently developed, however, it does form an integral part of the existing site operation. The location of the ABP plant towards the north west boundary would be acceptable.
232. Representations have been received regarding the design of the proposed chimney which would be 25 metres high. This is a necessary element of the proposed ABP plant and the height of the chimney has an impact on air

quality. It is not considered unreasonable or unnecessary for the chimney to be this height and therefore no re-design of the chimney has been sought.

233. The application form provides some details of the materials proposed to be used in the development, but much of the form states that details are to be agreed with the local planning authority. The industrial units would be profile metal clad buildings, the precise colour of which is not specified. The application form states that all of the proposed dwellings would be timber clad. Whilst there is a lack of specific detail, it is considered that this is a matter which can be appropriately addressed if planning permission is granted, by a condition requiring the full details of all external materials to the buildings to be submitted and approved.
234. For the reasons set out above, it is not considered appropriate to locate dwellings on this site and this would be contrary to the principles of good design as it is a countryside location, albeit one currently in a waste management use. There are also identified amenity issues associated with the dwellings which mean that it is not in accordance with the principles of good design to locate dwellings on this site. In considering design principles of new development, CLLP policy LP26 states that it must not result in ribbon development, nor extend existing linear features of the settlement. As set out above, the dwellings and farmsteads in the immediate vicinity of the application site are not located within the continuous built up area of Skellingthorpe and are a form of ribbon development. The proposed dwellings would add to this development and extend it further west at the 90 degree bend in Jerusalem Road, contrary to the design principles set out in policy LP26.
235. In terms of the design of the dwellings themselves, the proposed manager's house is conventional and raises no specific concerns purely in relation to its design. North Kesteven District Council has raised an objection regarding the non-traditional design of the proposed affordable houses, following the advice of their Housing Strategy Officer, and states that the design means these dwellings may not be of interest in terms of acquisition by a registered affordable housing provider. No discussions took place between the applicant and either the County Council or the District Council prior to the decision being taken to amend the proposed development to include affordable housing, therefore the opportunity to provide a design which may be acceptable to a registered affordable housing provider, was not available. There is therefore uncertainty regarding whether these dwellings could be delivered as affordable housing. It is therefore considered that these dwellings would not be an efficient use of the land, contrary to CLLP policy LP11.
236. Overall, it is concluded that in relation to design, the proposed ABP plant is acceptable whereas the proposed residential properties would be contrary to policies LP11 and LP26.

Waste

237. The National Planning Policy for Waste and CSDMP policy DM2 seek to minimise the amount of waste generated and push waste as high up the waste hierarchy as possible.
238. As set out above in relation to the principle of the proposed development, the proposed ABP plant would help in the delivery of this aim, by facilitating the re-use of ABP waste. In this respect it accords with the national and local policy context.
239. The development as a whole can be broken down into two categories of waste generation, one relating to construction and demolition; and another relating to the operation of the ABP facility. In relation to the construction and demolition phases of the development, waste material would be generated. The ES states different types of waste which will be generated, including, but not limited to inert waste, asphalt, concrete, bricks, metals and soils. The ES sets out measures to reduce or eliminate the anticipated quantity of waste sent to landfill by using reusing, recycling or recovery opportunities. The ES recommends the measures are set out in a Construction Environmental Management Plan, although one is not submitted with this application. Such a plan could also address any contaminated excavated material. In order to secure the appropriate measures to dealing with waste arisings during the construction and demolition phases, it is recommended that if planning permission is granted, it is subject to a condition requiring the submission, approval and implementation of a Construction Environmental Management Plan.
240. In relation to waste arisings during the operational phase of the development a number of waste streams have been identified in the ES, as follows:
- waste water – to be dealt with on site by the DAF plant;
 - effluent sludge – can be recycled back into the rendering process or recovered by land spreading (subject to a suitable permit);
 - general waste (for example, paper, plastic, wood metal) – sent to a Waste Transfer Station for sorting and recycling or landfill;
 - hazardous waste (for example, waste oil, oily rags, grease cartridges) – to be sent for disposal or re-processing by a licenced contractor; and
 - fluorescent tubes and waste electrical equipment – to be sent for recycling by a licenced contractor (usually provided by the supplier of the goods).
241. These are considered to be appropriate mechanisms for dealing with these waste arisings.
242. The ABP processing itself is stated to produce very little in terms of actual waste, as derived products are produced for uses, as set out above, such as fuel for incineration or combustion plants.

243. Further clarification of the impacts and generation of waste associated with the proposed development was submitted in response to the Regulation 25 request for further information.
244. Overall, it is concluded that the ABP process itself ensures that waste is managed in accordance with the waste hierarchy and that, subject to the use of planning conditions requiring the measures set out with the ES in relation to operational waste to be implemented and the submission, approval and implementation of a Construction Environmental Management Plan, the construction, operational and demolition phases of the development would not have adverse impacts in relation to waste. The development therefore does not conflict with the National Planning Policy for Waste or CSDMP policy DM2 in this respect.

Mineral Assessment

245. Policy M11 of the CSDMP sets out a requirement for all applications for non-minerals development within a minerals safeguarding area to be accompanied by a Minerals Assessment. The CSDMP sets out the location of the minerals safeguarding areas and the application site lies within a Sand and Gravel Minerals Safeguarding Area; as such a Minerals Assessment is required.
246. The original application did not contain a Minerals Assessment, however, further to a request for further information, a Minerals Assessment has been submitted. The Minerals Assessment considers the historic, existing and proposed uses of the site. It states that there were historic gravel pits both within the site itself and in close proximity to the site.
247. The Minerals Assessment concludes that the proposed development would not result in the material sterilisation of sand and gravel resources on the site and the development would not prevent future minerals extraction on neighbouring land. The prior extraction of any sand and gravel at the site is stated to not be practicable.
248. The County Council's Planning Policy Officer has advised that, having regard to the scale, nature and location of the proposed development, it has been demonstrated the proposals are in accordance with the criteria set out in policy M11 and there are therefore no safeguarding objections. The development is therefore acceptable in relation to minerals safeguarding.

Alternatives

249. Schedule 4 of the EIA Regulations sets out what information should be included in ESs. Within the information, a description of the reasonable alternatives studied by the developer, together with an indication of the main reasons for selecting the chosen option is required.
250. In this case, the ES states that no alternative development sites have been considered as the applicant is seeking to retain the same business operations as currently exist on the site, albeit with an upgraded, new

facility. It is noted that full details of the existing operation on the site have not been provided in this application for comparison purposes, however, it is accepted that the principle of the ABP processing operation is the same. It is stated that potential environmental impacts at an alternative greenfield site would be more significant and have not therefore been considered in the ES.

251. A number of representations were received objecting to the proposed development and supporting the proposed new ABP plant at Villa Farm, Norton Disney (which is the subject of a separate planning application (PL/0036/18) and is awaiting further information to be submitted). There is no requirement for the applicant to consider this as an alternative site, and the current proposals at that site should not affect the determination of this application, which must be considered on its own merits.
252. Other alternative sites are suggested by objectors to the proposals, but the approach of the applicant in relation to the ABP plant and alternatives is accepted, and therefore these alternatives are not required to be considered.
253. Whilst no alternatives in relation to the ABP plant have been considered, a reasoned explanation is provided for this, and as such it is considered that the ES complies with the EIA Regulations in relation to the consideration of alternatives for the plant.
254. The explanation for the lack of consideration of alternatives is not accepted, however, in relation to the proposed residential development on the site. Alternative sites in relation to both the affordable housing and manager's house should have been considered in order for the application to comply with Schedule 4 of the EIA Regulations, as these are not an existing use of the site, and it is also a requirement of CLLP policy LP55 (in relation to the manager's house). It is therefore considered that the application is not in accordance with the requirements of the EIA Regulations in relation to the proposed dwellings.

Cumulative and In-Combination Impacts

255. It is a requirement of Schedule 4 of the EIA Regulations that cumulative and in-combination impacts are assessed as part of the EIA process. As part of the discussions which took place at the EIA Scoping Opinion stage, it was established that the ES needed to consider the proposed Western Growth Corridor (as designated in policy LP30 of the CLLP) and the land allocations to the east of Skellingthorpe (as allocated in policy LP52 of the CLLP) and the proposed ABP plant facility at Villa Farm, Norton Disney. In addition to this, the Regulation 25 request for further information stated that cumulative impacts of the existing and proposed ABP plants on site being run concurrently needed to be assessed.
256. The original ES considered a wide range of potential issues in relation to the two allocations in the CLLP. There were several areas where the ES stated cumulative impacts could not be determined due to the lack of information

regarding the allocated proposals. In all other respects, it was determined that there would be no significant cumulative impacts.

257. In the Regulation 25 further information, it is stated that the proposed ABP plant at Villa Farm, Norton Disney is 6 miles from the application site and there would be no cumulative impacts. In relation to the proposals at Villa Farm, Norton Disney, the determination of this application is not premature in relation to the consideration of that application and does not prejudice the outcome or determination of that application. Each application needs to be assessed on its own merits (and if there were determined to be cumulative or in-combination impacts, considering these too) and the decision taken in relation to one application, is not determinative in relation to the decision to be taken in relation to the other application (unless specific issues arise which indicate this to be the case; no such issues have come to light at the time of writing this report). It is not a binary choice between one proposed ABP plant or the other.
258. The issues regarding the concurrent running of the existing and proposed plant is also dealt with in the further information. It is stated that any such period would be short, a matter of weeks, to enable the new plant to be commissioned at the same time as the existing plant continues to operate. The key issue identified in the further information as a potential impact was in relation to noise. The further information regarding noise contains predicted noise levels and states that impacts during the daytime would be between low adverse and no impact. No assessment is undertaken of potential impacts during the night time. It is not clear whether this is because it is not proposed to run the proposed new plant during the night time at the commissioning stage, or whether this is an omission in the information. Nevertheless, as explained above, there are difficulties with the methodology used in the noise assessment and so it is not possible to rely on these conclusions. It therefore cannot be concluded that there would not be significant impacts in relation to noise from the concurrent running of the plants.
259. The further information did not consider the potential odour impacts of the concurrent running of the existing and proposed plants. The Odour and Air Quality Consultant advises that, providing the period in which both plants would operate would only be a matter of weeks, and that suitable measures are put in place between the two plant operators, it is likely that appropriate mitigation could be put in place to ensure there would be no significant adverse impacts. If planning permission was granted, it is recommended that details of the proposed concurrent period and all mitigation measures are secured through a planning condition.
260. As part of the consultation process regarding the further information submitted, Natural England was specifically requested to provide advice regarding potential air quality impacts on the Doddington Clay Woods SSSI. In the response, Natural England made reference to the need to consider in-combination impacts on the SSSI from other potential sources of acidifying emissions within a 5km radius (as discussed above). The applicant has responded to this, stating that there would be no impacts (other than those

already taken into consideration) and Natural England has confirmed that this further information is satisfactory.

261. Except in relation to noise, where it is not possible to conclude that there would be no significant impact, it is concluded that there would be no additional cumulative or in-combination impacts which are not already taken into account in the assessments in the ES and further information.

Capacity

262. As stated above, the maximum throughput of the proposed ABP plant would be 5,760 tonnes per week. This capacity has been used in the assessments and analysis undertaken in the ES in relation to each of the issues discussed above. If planning permission was to be granted, it is imperative that it is subject to a condition restricting the throughput of the ABP plant to 5,760 tonnes per week, to ensure that the impacts of the development have been appropriately assessed and mitigated. Such a condition would be in accordance with the request from North Kesteven District Council in the consultation response. It is not considered appropriate, however, to seek to limit the number of vehicles accessing the site, as the more effective mechanism for controlling capacity is through a restriction on throughput.

S.106 Legal Agreements

263. Legal agreements can be sought (through s.106 of the Town and Country Planning Act, 1990, as amended) in relation to development proposals in circumstances where they would meet the legal tests set out in regulation 122(2) the Community Infrastructure Levy Regulations 2010, as referenced in the NPPF.
264. As stated above, it is considered that if planning permission is granted it should be subject to a HGV routing agreement to ensure that HGV vehicles entering and leaving the site do not travel through the village of Skellingthorpe. This formalises existing practices and is necessary to protect the amenities of the residents of Skellingthorpe. It is directly related to the development and is fairly and reasonably related in scale to the proposals. As such, it would meet the legal tests required to be applied to s.106 legal agreements.
265. When the application was amended in April 2019 to remove the originally proposed community hub and public access for recreation and fishing, the applicant provided information stating that in lieu of these facilities, a financial contribution was being offered to aid the Parish Council to maintain existing facilities and deliver additional facilities. North Kesteven District Council has raised concerns regarding this offer and considers that such a contribution is not relevant to the proposed development and no planning weight should be afforded to it.
266. The applicant has provided no information which sets out why a financial contribution to the Parish Council for community facilities is justified in relation to the proposed development. The need for any contribution

towards community facilities does not arise in accordance with the Central Lincolnshire Developer Contributions Supplementary Planning Document (2018) and can therefore not be considered to be necessary, relevant or of a fair and reasonable scale to the proposed development. It therefore fails to meet the legal tests required for s.106 legal agreements and cannot be required or taken into consideration in the determination of this planning application. No further action in relation to this offer is therefore recommended.

Other matters

267. Representations have been received stating that the existing operation on the site should not mean that it is acceptable to retain such an operation. As has been set out above, this application must be determined on the basis of the information submitted and the merits of the proposals. However, the existence of an ABP plant on the site at present means that there is a precedent for this operation on this site, as the existing use can continue to operate, regardless of the outcome of this planning application. Whilst it may be the case that if this was a vacant greenfield site, it would be concluded that an ABP plant would not be appropriate in this location, the existence of the current plant means that the proposals must be assessed within this context. There is, nevertheless, a requirement to assess the potential impacts of the proposed development thoroughly, as has been carried out above.
268. In response to the consultation undertaken, Cadent made representations regarding gas pipelines, related apparatus or easements falling within the application site boundary. Within the Regulation 25 further information, the applicant stated that there were no gas pipelines within the application site and that the gas main is sited in Jerusalem Road. In order to ensure that appropriate measures can be taken to protect any pipeline, apparatus or easement, it is recommended that if planning permission was granted, the representations from Cadent are included as an informative to the permission and it is recommended that the applicant contact Cadent at the earliest opportunity. This issue is not considered to be a matter which would justify a refusal of planning permission.
269. The Leader of the City of Lincoln Council has made representations regarding potential impacts on businesses and tourism, including in relation to Sustrans Cycle Route 64. Representations have been received from local residents also raising concerns regarding impacts on tourists to the area. As is discussed above, the principle of the ABP plant on this site is acceptable, in light of the existing use of the site. The presence of a replacement ABP plant, as a matter of principle, is therefore unlikely to have any greater impacts on local businesses and tourism, than is currently the case. Whilst insufficient information and evidence has been submitted to conclude that there would not be adverse impacts due to odour and noise, it is anticipated that any such impacts would be unlikely to have significant impacts on local businesses and tourism. An assessment of the impacts on Doddington Hall, a Grade I Listed Building and a local tourist attraction, has been undertaken and it has been concluded that there would not be

unacceptable adverse impacts. The LVIA assessed potential impacts on the Sustrans Cycle Route and further information was submitted in the form of a landscaping scheme to mitigate any visual impacts. Businesses and tourism would not be adversely affected as a result of vehicle movements associated with the proposed development, as set out above. The proposed residential development would not adversely affect businesses or tourism.

270. Indeed, the ABP plant would be a source of employment and therefore could make a positive contribution to the local economy, and potentially the wider economy. Representations have been received from businesses within related industries and representatives working within the supply chain for ABP plants, supporting the application, and making reference to the important role of rendering plants and to need for high standards to achieve the greatest environmental benefits.
271. It is therefore not considered that there is justification for refusing planning permission for the proposed development in relation to impacts on business or tourism.
272. One representation received requested that HGV movements should be restricted to limited hours during the daytime throughout the week. The ABP plant is proposed to be operated 24 hours a day, six days a week, as it is understood the existing plant does, and the assessments undertaken have been on this basis. This type of facility is required to be able to respond quickly, if the need arises, to the receipt of ABP raw material. It would therefore not be justified to limit incoming HGV movements. It is noted that the ES states that in practice, few deliveries arrive overnight. However, the applicant has stated that deliveries from the site could be restricted to the hours of 07:00 and 23:00 and this could be secured through a planning condition, if planning permission was granted.
273. A representation of objection was received regarding potential future road realignments in connection with Lincoln Football Club's development proposals. No information has been provided in relation to those proposals, and given that the County Council's Highways Officer has not objected to the proposed development, it is considered acceptable in relation to highways matters.

Non-planning issues

274. Within the objections received to the proposed development, a number of issues were raised which are not planning matters and therefore are not material considerations in the determination of this application. Reference to them is included below for completeness and to indicate that they cannot be taken into account.
275. A number of representations received made reference to the impacts of the proposed development on house prices and the saleability of houses. These are not planning matters and cannot therefore be taken into consideration in the determination of the application.

276. Reference has also been made to the proposed housing being a means of breaking the lease on the land. The details of the lease between the applicant's parent company and the existing tenants of the site is a matter between those parties and do not constitute a planning matter. No issues within the lease which would impact upon the delivery of the development as proposed, have been drawn to the attention of the County Council. As such, the details of the lease cannot be taken into consideration in the determination of this application.
277. A number of objections from local residents have raised concerns regarding the actions of the Leo Group, however, these are not planning matters and are therefore not taken into consideration in the determination of this application.

Overall Conclusions

278. As has been set out above, there are a wide range of issues related to the determination of this application. As has been stated, there are elements of the proposed development which are in accordance with the development plan, elements which are contrary to policies within the development plan and there are also a number of areas where further information is required to ensure that the implementation of the proposals is acceptable, however, it is considered that these could be dealt with by planning conditions, if planning permission was to be granted, and so are not given as reasons for the refusal of planning permission.
279. Overall, the principle of the ABP plant elements of the proposed development are acceptable and in accordance with policies W3, W4, W8 and DM2 of the CSDMP and policies LP3 and LP5 of the CLLP. However, the principle of the proposed residential development is contrary to policies LP11 and LP55 and therefore policy W8 of the CSDMP.
280. Notwithstanding the representations received from, amongst others, local residents, the District Council and Parish Councils, there are no highways concerns regarding impacts on the highway network or road safety, in relation to the proposed development, subject to the recommended condition regarding the proposed upgrading of the access and the imposition of a routeing agreement to ensure the HGVs avoid the village of Skellingthorpe. In relation to highways, the development is in accordance with policy DM14 of the CSDMP and LP13 of the CLLP.
281. The odour assessment does not adopt the appropriate approach to the category of odour and fails to take into account potential impacts arising from the HGVs delivering raw materials to the site, particularly in light of the new residential properties proposed at the site. The use of the ABP plant at Penrith, Lancashire is not appropriate as a surrogate in the assessment of odour, as the range of raw materials processed at that plant is more limited, and potentially less odorous; and full details of the biofilter beds have not been provided to verify the comparisons made. In relation to odour, the development is contrary to policy DM3 of the CSDMP and policies LP5 and LP26 of the CLLP.

282. Subject to the subsequent submission, approval and implementation of a Dust Management Plan, and the planting of a 10 metre wide tree belt along the north west boundary of the site, the development would be acceptable in relation to air quality.
283. The noise assessment does not comply with the standard set out in section 8 of BS:4142 regarding the assessment of background noise levels. There are also omissions in relation to the assessments undertaken regarding HGV movements and the concurrent running of the existing and proposed ABP plants. It therefore cannot be concluded that the development is acceptable in relation to noise and as such, it conflicts with policy DM3 of the CSDMP and policies LP5 and LP26 of the CLLP.
284. Whilst there is very little information provided in relation to the proposed external lighting, the ES recognises the need to ensure light spill is minimised and that it should not have a detrimental impact on bats which commute and forage across the site. As such, it is considered that the external lighting scheme could ensure that it does not have adverse impacts, given the existing use of the site, and therefore be in accordance with policies DM3 and DM6 of the CSDMP and policies LP5, LP17 and LP26 of the CLLP, subject to a planning condition requiring the submission, approval and implementation of such a scheme.
285. Notwithstanding the submitted details, subject to a planning condition requiring the submission, approval and implementation of a full landscaping scheme, it is concluded that the proposed development would not have adverse landscape and visual impacts, in accordance with policy DM6 of the CSDMP and policy LP17 of the CLLP.
286. The proposed development would inevitably have some adverse impacts in relation to the natural environment, through the removal of habitats and potential impacts on protected species of reptiles. However, subject to a planning condition requiring the submission, approval and implementation of a full package of measures to mitigate and compensate for these losses and disturbance, through new planting, including a 10 metre wide tree belt along the north western boundary, the creation of new habitats and the translocation of slow worm and grass snake, and an appropriate external lighting scheme to avoid adverse impacts on bats, it is considered that the proposed development would not have overall adverse impacts on the natural environment and has the potential to provide a net benefit, in accordance with policies DM8 and DM9 of the CSDMP and policy LP21 of the CLLP.
287. In relation to the historic environment, it is concluded that, subject to a planning condition requiring submission, approval and implementation of a landscaping scheme, there would not be substantial harm to any designated or non-designated heritage assets and that any impacts would be neutral, in light of the existing use of the site. In order to ensure archaeology is appropriately dealt with, if encountered on the site, it is recommended that a condition regarding archaeological recording is imposed if planning

permission was granted. The development therefore is in accordance with policy DM4 of the CSDMP and LP25 of the CLLP.

288. The site lies within flood zone one and is not considered to have adverse impacts in relation to on-site or off-site flood risk. In order to ensure surface water is appropriately dealt with, a condition requiring the submission, approval and implementation of a comprehensive water and effluent management plan is recommended if planning permission was granted, to ensure compliance with policies DM15 and DM16 of the CSDMP and policy LP14 of the CLLP.
289. The design of the proposed ABP plant is considered to be acceptable, however, the design of the proposed affordable houses may result in it being unlikely that a registered affordable housing provider wishes to acquire the properties and they cannot therefore be considered to be an effective use of the land, contrary to policy LP11 of the CLLP. All of the proposed housing would extend the existing ribbon development and linear features of the immediately surrounding area, contrary to policy LP26 of the CLLP.
290. The proposed ABP plant complies with CSDMP policy W2 insofar as it would make provision for waste being dealt with as high up the waste hierarchy as possible.
291. There are no safeguarding objections in relation to the sterilisation of minerals resources as a result of the proposed development, in accordance with CSDMP policy M11.
292. Whilst the ES and further information accord with the EIA Regulations in relation to the ABP plant with respect to alternatives, the proposed residential element of the proposals fails to consider alternatives and does not provide any reason or justification for this lack of assessment, which is also required in relation to CLLP policy LP55. This part of the proposals therefore do not meet the requirements of the EIA Regulations.
293. Cumulative and in-combination impacts are considered throughout the ES and no significant adverse impacts are concluded to occur as a result of this.
294. The further information submitted at Regulation 25 stage confirmed that the proposed capacity of the ABP plant would be 5,760 tonnes per week and it was on this basis that the assessments in the ES had been undertaken. In order to ensure that all potential impacts have been appropriately assessed and mitigated, where necessary, if planning permission was granted, it would be necessary to impose a condition limiting the throughput of the plant to 5,760 tonnes per week.
295. The only matter which meets the tests for the use of s.106 agreements is the proposed routeing agreement to ensure that HGVs do not travel through the village of Skellingthorpe, either to or from the site.
296. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private

and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

That planning permission be refused for the following reasons:

1. The principle of the affordable housing is contrary to policy LP11 of the Central Lincolnshire Local Plan, policy W8 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies and paragraph 77 of the National Planning Policy Framework. The site lies within the countryside, beyond the developed footprint of the village of Skellingthorpe. In order to justify an exception being made to the policies of the Central Lincolnshire Local Plan, policy LP11 requires evidence to be provided of both a local need for rural affordable housing and clear community support. No evidence of a local need for rural affordable housing has been provided. No evidence has been provided of local community support, either as expressed through consultation events, or through the support of the Parish Council. Indeed, Skellingthorpe Parish Council objects to the proposed development. There is no justification for an exception to the policies of the Plan being made, as both criteria of policy LP11, in relation to local need and community support, which are necessary to enable consideration of an exceptional case, have failed to have been met. The development is contrary to policy LP11.

Policy W8 prevents the encroachment of incompatible uses onto waste management sites. The affordable housing is an incompatible use, is unjustified and is contrary to policy W8.

Policy LP26 of the Central Lincolnshire Local Plan prevents development which would result in ribbon development or extends the linear features of a settlement. The dwellings and farmsteads in the immediate vicinity of the site are not located in the continuous built up area of Skellingthorpe and are a form of ribbon development. The affordable houses would add to this development and extend it further west, contrary to the design principles of policy LP26.

In addition, the affordable housing development is contrary to policy LP11 of the Central Lincolnshire Local Plan as the “eco-home” design and detached nature of the affordable housing means they may not be of interest in terms of acquisition to a registered affordable housing provider and no evidence to the contrary has been provided. The affordable houses therefore would not make effective use of the land, contrary to policy LP11.

2. The principle of the manager’s house is contrary to policy LP55 of the Central Lincolnshire Local Plan and policy W8 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management

Policies. The site lies within the countryside, beyond the developed footprint of the village of Skellingthorpe. No evidence of a need for a dwelling on this site being essential to the effective operation of the rural operation has been provided. The application fails to demonstrate the need for the dwelling; the number of workers that would occupy the dwelling; the length of time the enterprise the dwelling would support has been established; the ongoing concern of the rural enterprise through business accounts or a detailed business plan; the availability of other suitable accommodation in the area; or details of how the proposed size of the dwelling relates to the enterprise. Whilst details of the operation are implicit within the application, no evidence is provided to justify what specifically about the operation of the business generates a requirement for a manager's dwelling on the site. Operator choice is not a reasoned justification. The manager's dwelling is contrary to policy LP55.

Policy W8 prevents the encroachment of incompatible uses onto waste management sites. The manager's dwelling is unjustified and is therefore an incompatible use, contrary to policy W8.

Policy LP26 of the Central Lincolnshire Local Plan prevents development which would result in ribbon development or extends the linear features of a settlement. The dwellings and farmsteads in the immediate vicinity of the site are not located in the continuous built up area of Skellingthorpe and are a form of ribbon development. The manager's house would add to this development and extend it further west, contrary to the design principles of policy LP26.

3. In relation to odour, the development is contrary to policy DM3 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, policies LP5 and LP26 of the Central Lincolnshire Local Plan and paragraph 127 of the National Planning Policy Framework. Odour is not assessed appropriately, adopting a sufficiently robust precautionary approach, particularly given the proximity and proposed introduction of sensitive receptors to the site. The appropriate category of odour level, that is, the "most offensive" category (as established in the Environment Agency guidance "How to comply with your permit – H4 Odour Management" (2011)) has not been applied in the odour assessment. As such, the assessment is not sufficiently precautionary.

The use of the surrogate plant in Penrith, Lancashire, cannot be concluded to be appropriate or acceptable given the differences in the raw materials to be processed at each plant, with the Penrith plant only processing Category 3 animal by-product raw materials and the development processing Categories 1, 2 and 3 animal by-products raw materials. The raw material to be processed at the development has the potential to be more odorous than that processed at the surrogate plant. In addition, full details of the surrogate plant's biofilter bed system is not provided and so it cannot be concluded that these are an appropriate comparison to base odour impacts of the proposed biofilter beds on.

The odour assessment fails to take into account the passage and potential queueing of HGVs carrying animal by-product raw material along the access road, closer to the proposed dwellings than the existing plant. The impacts of this potential source of odour are not included within the predicted odour calculations and it cannot be concluded that this would not have adverse impacts on the proposed residential properties.

The location of two of the proposed dwellings, and their curtilages, within the site are within (in the case of the curtilage of the manager's dwelling) or very close to the boundary of the 1.5 to 3OUE/m³ contour, that is the point at which "most offensive" odour would have significant adverse impacts. It cannot be concluded that these dwellings would not experience significant adverse impacts, particularly in light of the potential contribution of a further source of odour being the transportation and potential queueing of HGVs carrying raw animal by-product material, on the access road.

Policies DM3, LP26 paragraph 127 of the National Planning Policy Framework require protection of residential amenities. The lack of certainty, and evidence to the contrary, regarding the potential for adverse odour at the proposed residential properties means that it cannot be concluded that the development would protect the amenities of the future residents of these properties. The development is contrary to policies DM3, LP26 and paragraph 127 of the National Planning Policy Framework.

Policy LP5 requires that employment development does not conflict with neighbouring land uses. The development is contrary to policy LP5 due to the potential for adverse odour impacts on the proposed dwellings.

4. In relation to noise, the development is contrary to policy DM3 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, policies LP5 and LP26 of the Central Lincolnshire Local Plan and paragraphs 127 and 180 of the National Planning Policy Framework. Noise is not assessed appropriately and in accordance with section 8 of BS4142, as the correct approach to background noise assessment has not been applied.

No evidence or justification has been provided as to why a +3 decibel HGV noise penalty has only been applied to predicted daytime noise levels and not to night time noise levels. It cannot be concluded that noise levels at night time would be acceptable.

No assessment has been undertaken of night time noise levels during the concurrent running of the existing and proposed animal by-product processing plants. It cannot be concluded that noise levels at night time would be acceptable.

There are existing sensitive receptors adjacent to the site and four new sensitive receptors are proposed within the site boundary. Policies DM3, LP26 and paragraph 127 of the National Planning Policy Framework require protection of residential amenities. In addition, paragraph 180 of the National Planning Policy Framework requires new development to be

appropriate for its location, taking into account noise impacts. The potential for adverse noise at the nearby sensitive receptors would not protect the amenities of the existing and future residents of these properties and it has not been demonstrated that impacts would be acceptable. The development is contrary to policies DM3, LP26 and paragraphs 127 and 180 of the National Planning Policy Framework.

Policy LP5 requires that employment development does not conflict with neighbouring land uses. The development is contrary to policy LP5 due to the potential for adverse noise impacts on nearby sensitive receptors.

5. In relation to contaminated land, the development is contrary policy DM3 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, policies LP16 and LP26 of the Central Lincolnshire Local Plan and paragraphs 127, 178 and 179 of the National Planning Policy Framework. Policy LP16 and paragraph 178 of the National Planning Policy Framework require adequate risk assessment and site investigation to be undertaken to inform the assessment of contaminated land. Additionally, policy DM3 prevents unacceptable adverse impacts arising from the migration of contamination. A Phase 1 preliminary risk assessment of the whole site, which includes assessment of the risk of contamination associated with the redevelopment of the site and therefore the suitability of the land for its intended use, is required and has not been provided.

Policies DM3 and LP26 and paragraph 127 of the National Planning Policy Framework require protection of residential amenities. Due to the lack of information, it cannot be concluded that the amenities of the proposed dwellings would not be adversely impacted as a result of contaminated land.

It cannot therefore be concluded that the development has adequately addressed the issue of land contamination and the creation of a safe environment for all elements of the development and beyond, contrary to policies DM3, LP16 and LP26 and paragraphs 178 and 179 of the National Planning Policy Framework.

6. The Environmental Statement (including the further information) does not meet the requirements of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulation (2017) in relation to the consideration of reasonable alternatives studied by the developer with respect to the residential development on the site. No evidence of consideration of reasonable alternatives has been provided and no explanation or justification has been provided detailing why no alternatives were considered.

The requirement for consideration of alternatives in relation to new dwellings in the countryside is established in Central Lincolnshire Local Plan policy LP55 (in relation to the manager's house), which requires the consideration of other suitable living accommodation on site or in the area.

The Environmental Statement therefore fails to comply with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulation (2017).

Appendix

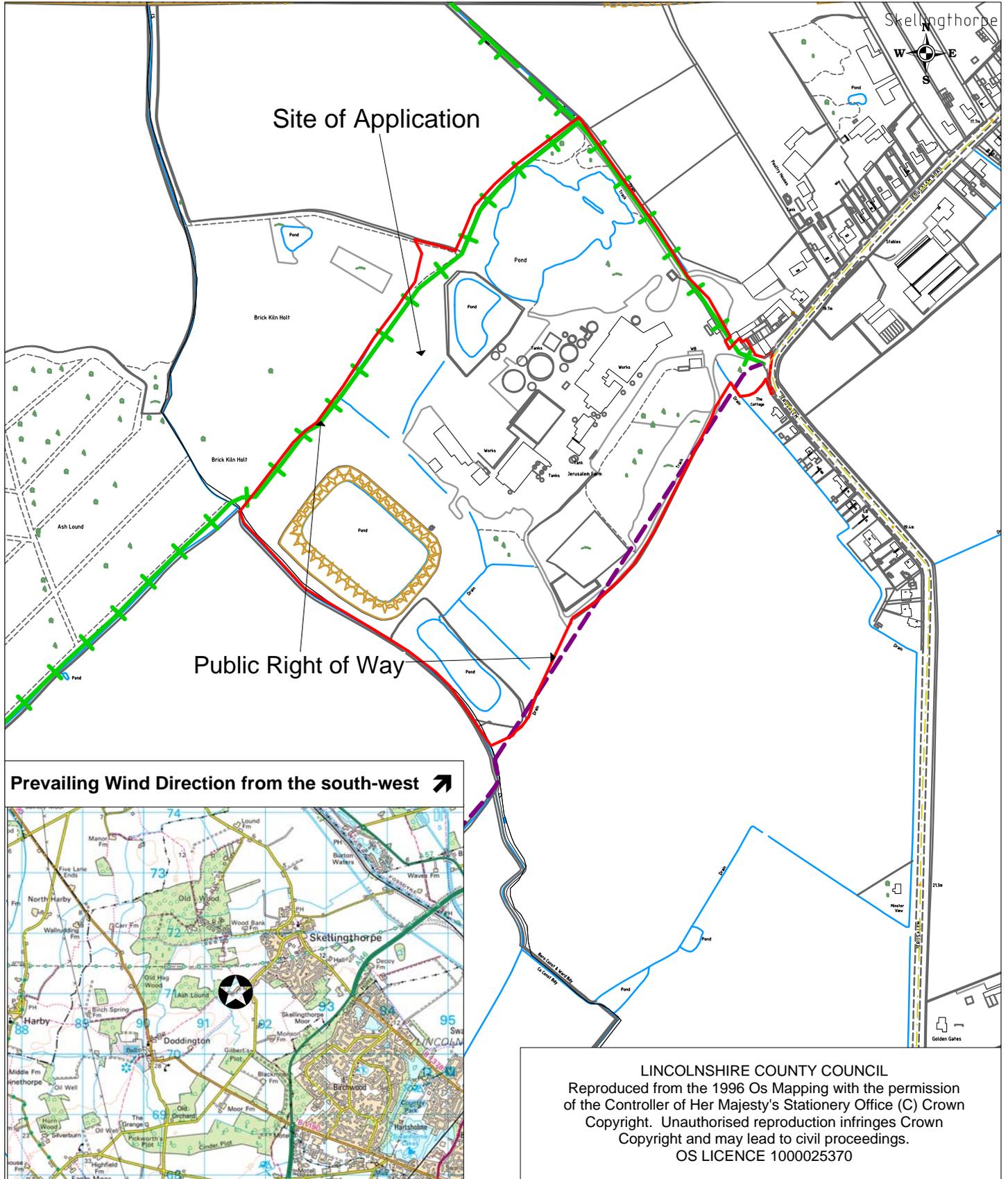
These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File 18/0709/CCC	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln
National Planning Policy Framework (2019) Appeal reference APP/N2535/W18/3207564 Environment Agency “How to comply with your permit – H4 Odour Management” (2011) DEFRA “Sector Guidance Note BIPPC SG8: Secretary of State’s Guidance for the A2 Rendering Sector” (2008)	The Government’s website www.gov.uk
IAQM “Guidance on the Assessment of Odour for Planning” (2018)	Institute of Air Quality Management’s website www.iaqm.co.uk
British Horse Society “The Impact of Noise on Horses” (2018)	The British Horse Society’s website www.bhs.org.uk
Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies (2016) Central Lincolnshire Local Plan (2017) Central Lincolnshire Strategic Housing Market Assessment (2015) North Kesteven District Council “Local Affordable Housing Needs Survey Analysis Report: Skellingthorpe, Doddington and Whisby Parishes (2013)	Lincolnshire County Council’s website www.lincolnshire.gov.uk North Kesteven District Council’s website www.n-kesteven.gov.uk

This report was written by Natalie Dear, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk



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 OS LICENCE 1000025370

Location:
 Jerusalem Farm
 Jerusalem Road
 Skellingthorpe

Application No: 18/0709/CCC
Scale: 1:5000

Description:
 Demolition of existing animal by products processing plant and all associated installations. Construction of a new animal by products processing plan